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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention pursuant to the simplified reporting procedure

Sixth periodic report of States parties due in 2017

Israel*

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Question 1 – Information and Statistics

1. See Annex II.

Question 2 – Case Law

2. Many of the provisions of the CEDAW are enshrined in Israeli national legislation; in addition, the CEDAW as well as the Committee's General Comments are referenced by different courts in a variety of cases such as those relating to eliminating polygamy, protection on foreign workers (see for example Question 20), women in the public sphere and more.

3. For recent case law see Annex III.

4. With regard to efforts taken to give sufficient visibility to the Convention, the CEDAW is published in English, Hebrew and Arabic on the websites of both the Ministry of Justice (MOJ) and the Authority for the Advancement of the Status of Women (AAW).

5. Furthermore, in July 2014, a summary of the provisions of the CEDAW was circulated by the Director of the Institute of Advanced Judicial Studies, among the Institute's members, including rabbinical court judges. The text that was circulated noted how important it is to increase awareness of varying forms of discrimination against women and disseminate the Convention's principles and values to the judges in Israel, whose work is crucial both in regard to human rights in general and women's rights in particular.

Question 3 – Reservations

6. Israel's reservation to Article 16 regarding personal status is reviewed periodically. At present, Israel maintains its position on this matter. This reservation stems from Israel's constitutional system and respect for religious pluralism, and the autonomy of Israel's religious communities in matters of personal status. This issue remains at the heart of the Israeli discourse and constitutes a major challenge to the Israeli society.

Question 4 - Developments in Legislation

7. For recent developments in legislation, policy and institutional frameworks, see the information provided in the relevant sub-paragraphs.

Question 5 – Extraterritorial Obligations

Non-application of the Covenant in the "Occupied Palestinian Territory" (OPT)

8. It is Israel's position that the CEDAW is not applicable beyond a State's national territory. For an elaboration of this position, see Follow up to the oral presentation by the State of Israel before the committee (CEDAW/C/ISR/CO/5/ADD.1), May 2013, p. 2-3.

Demolition of Illegal Structures in the Eastern neighbourhoods of Jerusalem

9. Illegal construction harms the local population, as it does not take into consideration planning policies and parameters that are needed to ensure quality of life, the welfare of the population and public needs. Enforcement measures against illegal structures are adopted in accordance with legal guarantees and following due process, subject to judicial review and the right to appeal.

10. The authorities exercise discretion in the execution of demolition orders and give priority to the demolition of illegal structures that pose an obstacle to city development, for

example, an illegal structure that blocks a sewer pipe system, a planned school, access to roads, etc.

Recent Statistics

11. In 2016, 119 illegal structures were demolished by the municipality. Eighteen (18) of them were residential structures. Out of these, nine (9) were residence structures in the eastern neighbourhoods of Jerusalem, and nine (9) of them were in the western neighbourhoods of Jerusalem.

12. In 2015, 94 illegal structures were demolished. Twenty (20) of them were residential structures. Out of these, six (6) were residential structures in the eastern neighbourhoods of Jerusalem, and fourteen (14) of them were in the western neighbourhoods of Jerusalem.

13. Construction permits: In 2016, 217 construction permits were granted in the eastern neighbourhoods of Jerusalem.

Question 6 - Access to Justice

14. Under Israel's domestic legal system, every person has full access to effective redress and judicial review in Israeli courts, as well as in many other venues, as detailed in Israel's Core Document, (HRI/CORE/ISR/2015). Free legal aid is offered in Israel, under certain circumstances, in both civil and criminal proceedings, as follows:

Legal Assistance to Women

Criminal Sphere - The Public Defender's Office (PDO)

15. The PDO is part of the MOJ. It provides legal representation throughout criminal proceedings, from consultation for suspects during police investigation to representation during sentencing, hearings before parole committees, etc. The PDO plays a crucial role in the representation of individuals who cannot afford to retain a lawyer and in maintaining justice in criminal legal proceedings. Recently, the PDO launched a website in Hebrew, English, Arabic and Russian.

16. Only a small proportion of accused persons or suspects in the criminal justice system in Israel are women. Accordingly, out of 135,415 people whom the PDO represented between 2014 and 2016, only 3,274 were women. In 2016, the PDO represented nineteen (19) Palestinian women, and ten (10) foreign residents.

Civil Sphere - The Legal Aid Administration (LAA)

17. The LAA is part of the MOJ. It provides legal assistance to persons who cannot afford legal representation to help them exercise their constitutional right to access judicial forums. The LAA provides legal representation according to the Legal Aid Law 5732–1972 (hereinafter: LAA Law) and the Legal Aid Regulations 5733–1973 (hereinafter: Legal Aid Regulations). While it is a governmental organ, the LAA enjoys independence and has the ability to file suits against the Government on behalf of its clients, when necessary. The right and extent of legal assistance provided by the LAA is subject to an eligibility test according to the subject-matter of the case, the financial ability of the applicant, and the likelihood of success of the legal proceeding.

Challenges and Accomplishments

18. In recent years, the Southern District of the LAA identified some challenges, primarily cultural and economic ones, regarding the ability of women, including women from the Bedouin population, to access the courts.

19. The LAA took several steps to address these issues, including: establishing a **Legal Aid Branch in Rahat** (the largest Bedouin city in the Negev) in June 2016; strengthening **cooperation between the LAA and NGOs** as well as with the Authority for Development and Housing of the Bedouins in the Negev (hereinafter: the ADBN) in order to make legal aid more accessible to Bedouin women; enhancing the accessibility of legal aid for women who are **victims of prostitution** – a joint project of the Southern District of the LAA with "Bishvilech" (For You) NGO; providing legal assistance to women who are **victims of domestic violence**; arranging for legal assistance for **victims of trafficking**; presenting **"Access to Justice Stand"**- an LAA counter which is located inside the court and aims to provide ad hoc legal aid (at the first stage). This counter provides access to preliminary legal counsel to unrepresented people from different populations; legal assistance to **victims of sexual offences** - according to a recent amendment, free legal representation is to be provided by the LAA to victims of sex offenses according to the Limitations on the Return of a Sex Offender to the Surroundings of the Victim of the Offence Law 5765-2004 (hereinafter: The Limitations on the Return of a Sex Offender to the Surroundings of the Victim Law), which stipulates that these victims are exempted from the economic eligibility test laid out in the Legal Aid Law; **guidance and representation for victims of fatal offences.**

20. For more information on this issue, see Annex I.

Access of women to judicial courts regarding child support and custody

21. The eligibility tests under the LAA Law and LAA Regulations distinguish between civil legal proceedings and family matters proceedings, so that in matters of personal status, the financial eligibility test depends only on the financial state of the person applying for legal aid, and not according to the income of the family unit as a whole as is the case in civil proceedings. As a result, many single parent women are eligible for legal assistance by the LAA in such proceedings.

Community Courts

22. The Community Courts, which are a type of "Problem Solving Courts", began to operate in Israel within the framework of a pilot programme in November 2014. The first Community Court was established in Be'er-Sheva and the second Community Court was established in Ramle in September 2015. The Community Court serves various populations, and according to recent statistics, many are women.

23. These courts use a judicial and rehabilitative approach. This framework provides the perpetrators of crimes with an incentive for change and rehabilitation through personal assistance during the process, with the assistance of the community in appropriate cases, and aims to reduce incarceration and prevent recidivism.

24. For more information on this issue, see Annex I.

With regard to the Committee's question about persons who entered Israel illegally through the Egyptian Border

25. Note that every person may be eligible for full representation by the PDO in criminal proceedings, if she/he meets the criterion stipulated in the Public Defender Law 5766-1995 (hereinafter: Public Defender Law), which are mainly based on the probable punishment for the offence and the economic situation of the defendant. The Law does not distinguish between Israelis and non-Israelis, in relation to this criterion. Accordingly, the PDO does not handle matters of asylum applications, unless it is necessary for the adequate representation of the defendant, and as part of the criminal procedure. In practice, a very small number of women asylum seekers were indicted.

26. With regard to legal assistance in civil matters to persons who entered Israel illegally through the Egyptian border, which is provided by the LAA, a petition on this issue is currently pending before the Supreme Court (H.C.J. 5262/16).

Question 7 – Women, Peace and Security

Implementation of United Nations Security Council Resolution 1325

27. The AAW continues to enhance the implementation the UNSC Resolution, inter alia, through Government Resolution No. 2331 which includes a full policy plan for the promotion of gender equality; the issuance of the Gender Mainstreaming Guide; an Inter-ministerial Team for National Action Plan and more.

28. For more information see Annex I.

Women Representation in Security Forces

The Israel Defense Forces (IDF)

29. Military service in the IDF has been obligatory for women since the IDF was founded. Over the years, and especially in recent times, there has been major progress in the status of women in the IDF. The most prominent example of this is the infantry, where the number of women is steadily rising, and accordingly, new goals and frameworks are becoming available for women. This is true also with respect to technologically-oriented professions. In addition, new gender-equal professions are being added, in which there is full equality between men and women. Additionally, the IDF maintains a multiannual programme for the expansion of women's integration.

30. As part of the process of integrating ultra-Orthodox men to serve in the IDF, and due to the negative implications this process might have on the exclusion of women in the IDF environment, an Amendment to the Defense Service Law [Consolidated Version] 5746-1986 (hereinafter: the Defense Service Law) was legislated in 2014. The Amendment (No. 19), stipulates that "The status and integration of a veteran woman in the defense service will not be prejudiced on account of the service of graduates of yeshivas and ultra-Orthodox religious institutions in the defense service under this chapter". Furthermore, the Amendment obliges the Minister of Defense to annually report on the effect of the implementation of this Amendment to the Knesset Committee of Foreign Affairs and Defense and the Committee for Advancement of the Status of Women and Gender Equality.

The Police

31. In 2013 the Police established a Gender Equality Unit with the objective of creating appropriate conditions and policies for the full utilization of the capabilities of women serving in the Police and enhancing a new gender mainstreaming reality. The AAW was involved in the process of establishing the Unit. Currently, women account for 26 per cent of the Police force.

The Israeli Prison Service (IPS)

32. Women constitute about 20 per cent of the IPS personnel, serving in various roles of command, security, treatment and administration. The IPS encourages the integration of women in all of the organization's roles. The organization is headed by a female Commissioner and has, in senior positions in the unit level and in General Brigadier rank, four (4) female officers commanding the fields of logistics, manpower, legal counselling and prisoner treatment.

Zero Tolerance Policy to Sexual Exploitation by Security Officials

The IDF

33. In accordance with General Staff Order 33.0145, entitled "Prohibition of Sexual Violence," commanders must act to maintain a respectful atmosphere within their unit, and follow the order and the norms enshrined therein amongst their subordinates. In addition, the Chief of the General Staff issued a circular emphasizing the harmful effects of behaviour amounting to sexual violence.

34. In recent years, the IDF adopted a strategy plan for eliminating sexual harassment. This plan includes four (4) pillars: Information; Enforcement and Monitoring; Command reaction; Adjudication, and Sanctions; Victim Support ("Mahut").

For more information, see Annex I.

35. Recent data shows that there has been an increase in the rate of sexual violence cases reported in the IDF. This is an indication that the legitimacy of reporting and filing complaints has increased, which is given due to various factors, including public discourse, media exposure and efforts within the IDF and outside, to eliminate this phenomenon, and the establishment of the Mahut Centre.

36. For recent statistics regarding sexual harassment cases in the IDF, see Table No. 1, Annex II.

The Police

37. Generally, every criminal offence committed by a police officer which is punishable by a year of imprisonment and above, including a sexual offence, is handled by the Department for Investigation of Police Officers (hereinafter: DIPO), which is under the auspices of the MOJ, thereby maintaining its professional independence. The DIPO makes efforts to ensure that incidents of sexual exploitation by police officers towards civilians or co-workers are handled without compromise. These include:

- Training of police units and lecturing on sexual abuse and sexual harassment; greater sensitivity towards victims of sexual offences: The DIPO is working in cooperation with the NGO Association of Rape Crisis Centres in Israel (ARCCI). As part of this cooperation, the DIPO receives instructions on the necessary sensitivity required for handling victims of sexual assaults. In addition, the DIPO and the ARCCI work closely in accompanying victims of crime during the investigation and court proceedings.
- Designated guidelines which stipulate that prior to closing a sexual assault case, an attorney representing DIPO will meet the victim personally, and will explain to her/him the decision, and the reasons behind it, in a personal and sensitive manner. The guidelines focus significantly on the victim's ability to understand the reasons behind the decision to close the case, and underscore the importance of the victim feeling that she/he is seen and taken into consideration.
- An information leaflet is provided to victims of crimes (both civilian and police officers' victims) at the investigation. The leaflet includes information on the assistance that is available for victims of sexual offences at ARCCI.

38. Events over the past few years have shown that the DIPO does not spare high-ranking police officers or those who have strong "ties" and connections who allegedly committed sexual offences against their subordinates.

39. The DIPO submits many indictments on charges of sexual exploitation of women and demands the courts to issue severe sanctions. The DIPO's aim through all these situations is to deliver a message that sexual offences, especially when committed through an abuse of

authority, and police authority in particular, is taken seriously and that it is crucial to eliminate wrongful norms and perceptions. In cases where senior police officers, committed sexual offences towards their subordinates' or had sexual relationships with them, while exploiting a relationship of authority, the DIPO believes that beyond the significance of handling each individual case, lays the importance of abolishing wrongful norms, and changing the way that women are perceived within the working environment.

40. For Police prevention efforts and recent statistics see Annex I and Table No. 2 in Annex II.

The IPS

41. The IPS maintains a strict policy of enforcing the legislative provisions dealing with the prohibition of all forms of sexual offences to women within the IPS system, in both disciplinary and criminal level.

42. For statistic information concerning sexual harassment in the IPS between 2012-2016 see Table 3 in Annex II.

Question 8 – National Machinery for the Advancement of Women

The Authority for the Advancement of the Status of Women (AAW)

43. In 2016, the AAW has become an important unit in the Ministry of Social Equality. In recent years, the AAW's budget has been dramatically amplified: In the year 2011, the annual budget was 3,903,000 NIS (1,054,864 USD), 2012 – 4,153,000 NIS (1,122,432 USD), 2013 – 1,134,000 NIS (306,486 USD), 2014 – 2,134,000 NIS (576,756 USD), 2015 - 1,750,000 NIS (317,567 USD), 2016 - 1,864,000 NIS (503,783 USD), and in **2017 – 17,000,000 NIS (4,594,594 USD). i.e., the AAW annual budget was multiplied by 4.35 since 2011.**

44. For more information see Annex I.

Establishing a Ministerial Committee on Gender Equality

45. Under Government Resolution No. 36 (May 26, 2015), the GOI established a designated Ministerial Committee on Social Equality. The Chair of Committee is the Minister of Social Equality, and its members are: the Ministers of Justice, Labour, Social Affairs and Social Services (MOLSASS), Industry and Economy, Religious Services, Culture and Sport and Science, Technology and Space. The Committee is charged with promoting gender equality in various aspects of life.

46. For recent examples see Annex I.

National Action Plan

47. See Government Resolution No. 2331 in Question 7.

48. In 2016 the AAW established a plan to promote gender equality and assimilation of gender mainstreaming through local municipalities. See in Question 15.

Gender Budgeting

49. In July 2014, the Committee for Evaluating Gender Aspects of the State Budget, appointed by the Minister of Finance, published its concluding report. The Committee's panel examined developments in developed countries around the world in the area of gender analysis of the budget, heard the positions of different relevant bodies and NGOs, and examined the current situation of this issue in the different Government Ministries. Following its conclusions, the Committee recommended that the GOI would perform a gradual gender analysis of the State budget. This process will be performed through several years and would

be complemented by a process of gender mainstreaming in the Government Ministries. In the Committee's view, this analysis would draw a "gender glasses" image that would enable the policy makers to improve the budget allocation and create a gender responsive budget.

50. Government Resolution No. 2084 (October 7, 2014) adopted the conclusions of the Committee. It was decided on a gradual duty of gender evaluation of the State budget, by each Government Ministry and auxiliary unit - 10 per cent in 2015, 40 per cent in 2016, 70 per cent in 2017 and 100 per cent in 2018. The gender analysis is to be published alongside the State budget proposal and the explanatory note submitted to the Knesset. This evaluation process will be supervised by a Governmental steering committee and a governmental guide for gender evaluation that will be published. The AAW will offer scholarships for researchers exploring gender analysis and the best means to promote this process.

51. The first publication of gender analysis was made available on the Ministry of Finance website at the end of 2014. The implementation of gender budgeting analysis has exceeded expectations and already in 2016, gender analysis was performed for 70 per cent of Government Ministries.

Cooperation with Civil Society Organizations

52. The AAW conducts its activities in cooperation with the Civil Society in general, and women's organizations, in particular, including organizations promoting the rights of women from minority populations.

53. For recent examples, including on the UNSC 1325 Resolution, see Annex I. For other examples of cooperation with NGOs in a variety of fields, see Questions 10, 12, 19 and 22.

Question 9 – Stereotypes and Harmful Practices

Amendment to the Marital Age Law 5710-1950 (hereinafter: the Marital Age Law)

54. In December 2013, the Knesset amended the Marital Age Law (Amendment No. 6), raising the minimum marital age from 17 to 18. The Law prescribes that a Family Matters Court is authorized to permit the marriage of a minor if they are above the age of 16 and if there are unique reasons linked to the minors' best interest to do so. The Court must hear the minor before deciding on this matter. With regard to the marriage of a minor over the age of 16 but below the age of 17, the Court must request a social worker assessment in accordance with the Law. Accordingly, Section 2 of the Law provides that a person that officiates, assists in the marriage ceremony, or marries a minor who is her/his child or under her/his guardianship, is committing a criminal offence, punishable by two (2) years imprisonment or a fine, according to the Penal Law 5737-1977 (hereinafter: the Penal Law).

55. For updated data regarding the marital age in Israel, see Table No. 4 in Annex II.

Eliminating Polygamy

56. In recent years the GOI has been enhancing its efforts to eliminate polygamy. The issue has been highly prioritized and accordingly, many efforts are invested in this field. These efforts include a comprehensive Government Resolution, followed by the establishment of an inter-ministerial committee, and a notable Attorney General Guideline, in addition to continued enforcement efforts by the Police.

Government Resolution - "Coping with the polygamy Offence"

57. On January 29, 2017, the GOI accepted Resolution No. 2345, which established an Inter-Ministerial Committee designated for the issue of polygamy. The Committee includes the following Ministries: Education, Justice, Labour, Social Affairs and Social Services, Interior, Health, Agriculture and Rural development, and Public Security. The Resolution

further calls for the establishment of a wide-ranging inter-ministerial team tasked with forming a strategic plan to encounter this phenomenon, and accordingly the Government will allocate the appropriate budget in the annual state budget of 2019-2020. The inter-ministerial committee included representatives of several NGOs, men and women.

State Attorney's Guideline on the Prosecution policy in the marriage of a minor's offence

58. On 9 May 2016, the State Attorney's Office published State Attorney's Guideline No. 2.20 titled "The Prosecution Policy regarding the marriage of a minor's offence", which regulates the Prosecution policy in respect to this offence. For more information, see Annex I.

Attorney General Guideline - Eliminating Polygamy

59. The Attorney General Guideline No. 41112 titled "The polygamy offence" was published on January 23, 2017. The purpose of this Guideline is to enhance effective enforcement of the polygamy offence, according to Section 176 of the Penal Law and to augment its appropriate punishment. The rational, as described in the Guideline, refers to the destructive implications polygamy has on women and children, inter alia, due to the impact on the child's well-being and her/his development, the economic and emotional implications on women and the negative impact that it has on the status of women in society in general. Furthermore, the Guideline includes a reference to the CEDAW Committee's previous concluding observations on this issue, and clarifies that it was formed according to the commitments that Israel has taken upon itself according to international law.

60. For more information, see Annex I.

61. According to recent findings of the National Insurance Institute (NII), in 2016, there were 1,762 polygamy families in Israel, most of them within the Bedouin population in the South of Israel.

Implementation and control over means to eliminate early marriage, underage marriage, coerced marriage and polygamy by the Police

62. See Annex I.

63. For recent case law see Annex III.

Question 10 – Gender Based Violence against Women

Gender based violence - recent legislation amendments

- Amendment No. 122 of 2016 to the Penal Law, added Section 347B to the Law, which prohibits consented sexual relations between a clergyman and a person, above the age of eighteen (18), who received consultation from her/him, when the consent was achieved through exploiting substantial mental dependence of the person upon the clergyman. Consultation or guidance is defined as continuous consultation or guidance through face-to-face meetings. According to the Amendment, a clergyman who engages in intercourse with a woman or performs an act of sodomy on a person in these circumstances will be liable to imprisonment for four (4) years. The amendment also added Section 348(D2), stating that a clergyman who commits indecent acts with or on a person above the age of eighteen (18) under the circumstances detailed in Section 347B (b), is liable to three (3) years of imprisonment.
- Amendment No. 14 of 2015 to the Legal Aid Law provides that legal aid, including representation in court proceedings will be provided **without a financial eligibility test** to a victim of sexual offence, in civil proceedings

according to the Limitations on the Return of a Sex Offender to the Victim's Vicinity Law.

- Amendment No. 5 of 2015 the Statute of Limitations Law 5718-1958 allows for the possibility of extending the statute of limitations if the defendant, or her/his representative, knowingly misled the plaintiff, abused her/his power, threatened or exploited the plaintiff. This amendment allows more women to file claims due to an infringement of their rights in such circumstances, for example, women who were subject to sexual abuse.
- Amendment no. 11 of 2014 to the Crime Victims' Rights Law 5761-2001, provides that a victim of a sexual offence is entitled to choose the gender of her/his investigator (under certain restrictions). The investigator must inform the victim on this option at the beginning of the investigation (entry into force: 1.1.2018).

Countering Sexual Harassment – Recent Amendments

64. Several recent amendments were made to the Prevention of Sexual Harassment Law 5758-1998 (hereinafter: Prevention of Sexual Harassment Law):

- **Amendment No. 8:** The Amendment raises the damages for sexual harassment from 50,000 NIS (13,513 USD) to 120,000 NIS (32,432 USD), without the need to prove damage.
- **Amendment No. 10:** this 2014 amendment provides that publishing a photograph, film or recording of a person that focuses on a person's sexuality, in circumstances in which the publication is likely to humiliate or degrade a person, and against that person's consent, constitutes a sexual harassment offence, punished by five (5) years of imprisonment.
- **Amendment No. 12:** according to this amendment, when an employee's complaint regarding adverse treatment is submitted, the burden of proof is shifted on the employer to prove that the said treatment was not committed due to a sexual harassment complaint which was submitted by the employee, provided that no more than three (3) years has elapsed from the day the sexual harassment complaint was submitted.
- **Amendment No. 13:** Sheltered employment enterprises (which employ persons with disabilities) have been included in the definition of work relations for the purpose of sexual harassment, thus ensuring better protection of employees with disabilities.
- In July 2014 the Prevention of Sexual Harassment Regulations (hereinafter: the Sexual Harassment Regulations) were amended. according to the amendment, higher education institutions, including academic institutes, are obligated to conduct several steps in order to prevent sexual harassment, such as: annual informational activities; informing students and employees about the regulations and ways of filing a complaint; institutions with 2,000 students or more are also obligated to appoint two (2) sexual harassment prevention officers and to provide them with the relevant training. Note that the persons that are elected to serve as a sexual harassment officer, must be from different sectors in the higher education institution (for example, student sector, professor sector, administrative staff), in order to enhance their accessibility. These institutions are also obligated to file an annual report to the AAW, to the Knesset Committee for the Advancement of the Status of Women and Gender Equality (2014), and to the relevant regulator (for example, the MOE, MOEI or the Council for Higher Education). Note that these steps are complementary to the relevant obligations that apply to these institutes as a general employer (see below).

- In addition, in November 2013, following deliberations held with the Ministerial Committee on the Status of Women and Gender Equality, the Ministry of Finance, issued a binding procedure whereby insurance companies shall not cover sexual harassment liability and shall not indemnify the insured person for sexual harassment costs, even in cases where she/he has reached a settlement with the complainant. In a letter to all insurance companies CEOs, the Ministry of Finance required them to examine the insurance policies they offer and amend them accordingly.

Enforcement Efforts

65. Under the Prevention of Sexual Harassment Regulations, every employer must appoint a sexual harassment prevention officer, to serve as an address for complaints on sexual harassment. Other duties of the officer include providing recommendations to the employer on how to handle a case of sexual harassment in the workplace, and providing the employees with consultation, information and guidance. Employers must issue a code of conduct for the prevention of sexual harassment; allow instruction and explanatory sessions on the subject for the employees; demand that all employees refrain from sexual harassment; establish an efficient way for lodging a complaint in respect of sexual harassment; deal effectively with all cases of sexual harassment; etc. The regulations determine that if possible, the appointed officer should be a woman.

66. **New-Year Campaign against Date Rape Drug (Predator Drug)** - in the 2016 New Years' celebrations, the Police conducted a broad operation for increasing public awareness regarding the date rape drug. The operation included a wide-ranging public campaign, with videos broadcasted, leaflets distributed, posters and television interviews on this subject. In addition, approximately 20,000 date rape drug detection kits were distributed to the public for free.

Sexual Harassment- Enforcement Statistics

67. For statistical information by the Office of the State Attorney, see Table No. 5 and Table No. 6, Annex II.

68. For information regarding prevention of sexual harassment in security forces see Question 7.

69. For information regarding prevention of sexual harassment in the Civil Service see Question 19.

Countering Domestic Violence

70. According to recent data by the MOLSASS, during 2016, 11 women were murdered by their spouses; between the years 2004-2016, 147 women were murdered by their spouses. This issue continues to present a challenge and in recent years, the GOI has been enhancing its efforts to combat this phenomenon. Hereinafter are several prominent examples:

71. Israel is currently examining the ratification of the **Council of Europe Convention on** preventing **and combating violence against women and domestic violence (the Istanbul Convention)**, a process that entails an in-depth examination of all aspects relating to combatting gender-based violence.

72. **The Joint Review Team** (established in 2003) continues to conduct periodic meetings to examine cases of femicide in order to prevent their recurrence. The team includes participants from the Police, the MOLSASS, and the State Attorney's Office.

73. **"Police Social Worker Model"** - this is a joint project operated by the MOLSASS and the Police with the object of placing a social worker in police stations, in order to strengthen the cooperation with the Police, making sure that the Police referrals to the welfare

authorities were addressed and vice versa, meet with victims who came to file a complaint (if they are interested) in order to provide initial assistance, and to prepare an appropriate intervention and assistance programme in advance, including a possible risk assessment following identification of the alleged perpetrator. In 2016 this programme was operated in 25 towns. 58 per cent of the men and women who had an "intake" conversation with a social worker were referred to the Centres for Prevention and Assistance (for information on the Centres, see below).

74. **A Joint Inter-ministerial Committee on Preventing Domestic Violence** was established in 2014. The Committee included representatives from all Ministries. In February 2016, the Committee published its final recommendations. Subsequently on May 2016 a designated sub-committee for implementing the recommendations was established, headed by the Minister of MOLSASS. The Implementation Committee included ten (10) teams; each one focused on different issues: research, protection, information, vulnerable populations, legislation etc. The Implementation Committee recommendations were presented to the Minister of Public Security in October 2016. The recommendations include both aspects of strengthening the current protection and prevention systems, and developing new ones.

Enhanced efforts within the Police

75. The Police fully recognize the importance of this issue and are prepared to provide unique and adjusted responses to these offences. The Police have a unique apparatus of investigators and investigating officers to handle domestic violence and sexual offences. In addition, designated training courses on domestic violence and sexual offences are regularly conducted on this issue for all investigators and patrol officers, including gender-sensitive courses.

76. In order to enhance reporting, the Police emphasize the need for better cooperation with a variety of actors relevant to the fight against domestic and sexual offences. For example, recently a protocol for "efficient data sharing" was created by the Police and the welfare authorities. It regulates the manner of cooperation and reporting in each of the stages of treatment of domestic violence cases. In addition, in order to raise awareness and enhance reporting, an ongoing discourse and collaboration was formed between the Police and leaders of minority groups; mainly concerning improving accessibility and encouraging women to approach the Police and file complaints.

Control and supervision

77. The Police conduct several periodic reviews of the treatment of domestic violence offences each year, in every police district and in several stations, through both initiated and surprise inspections.

Public Information

78. Each police station contains informational signs and leaflets for victims of offences and information sheets detailing the possibilities for assistance and treatment of victims in the station's vicinity.

Raising Awareness, Education and Training

79. See Annex I.

Protection and Assistance for Victims of Domestic Violence

80. See Annex I

Enforcement Statistics – Gender-Based Violence Including Domestic Violence

81. See Tables No. 7-12, Annex II.

Question 11 - Gender-Based violence in the "Occupied Palestinian Territory"

Non-application of the Covenant in the "Occupied Palestinian Territory"

82. As has been previously clarified, it is Israel's position that the CEDAW is not applicable beyond its national territory. For an elaboration of this position, see sections 44-48 of Israel's 4th Periodic Report (CEDAW/C/ISR/4).

Question 12 - Measures to Protect Disadvantaged Groups of Women against Violence

Gender Sensitivity in Request for Asylum

83. In February 26, 2017, the GOI Regulation processing Asylum Requests (PIBA Regulation No.5.2.0012) was updated (hereinafter: the "Regulation") as follows. A designated section entitled "Gender Sensitivity in the process of refugee status determination (RSD)" (hereinafter: the Gender Sensitivity Section) was added, with the aim of highlighting gender sensitivities. The underlying idea of the Gender Sensitivity Section is the acknowledgement that gender is an important attribute in asylum requests and their processing, and thus, the PIBA's policy must be adjusted accordingly. Still, note that the Gender Sensitivity Section does not create an additional form of persecution under the 1951 Convention.

84. The Gender Sensitivity Section provides that RSD interviews will be conducted with sensitivity to gender issues that might affect the interviewee's feelings or behaviour, or impact on her/his testimony. Furthermore, the Section stipulates that victims of gender-based violence, including sexual violence, must be treated with the utmost respect and sensitivity.

85. The Section further requires the following: (1) The training programme of RSD Unit employees must include training regarding gender issues such as: the psychological effect of traumatic experiences (unwillingness to provide all details, difficulties in remembering past events and in providing testimony, etc.); cultural perceptions of women in countries of origin and their influence on asylum seekers. Note that a full day seminar was held on February 16, 2017, entailing these issues. (2) Guidelines for the interview process: (a) The interviewer must inform the interviewee at the beginning of the interview of her/his right to request an interviewer of the same gender, subject to personnel availability at the RSD Unit. (b) Family members, including spouses should not be present at the interview, and each interview should be held individually. (c) The interviewee shall be given a proper opportunity to share her/his experience of any gender-based persecution or gender-based violence that she/he has suffered. Respectively, this testimony shall be taken into consideration in the deliberation of her/his asylum application. (d) Additional caution should be taken in order to prevent repeated trauma to the interviewee; the interviewer must abstain from any request for extensive description of the traumatic event which is unnecessary for the final decision. (e) An interviewee that has difficulty in completing her/his testimony shall be given an opportunity to complete the interview at another time.

Identifying Victims of trafficking -The Inter-Governmental Protocol

86. Israel dedicates great resources towards identifying victims of trafficking among its immigrant population in order to provide them with the appropriate assistance and protection. The Inter-Governmental Protocol is a procedure that includes a comprehensive list of indicators for recognizing a victim of trafficking. Once a victim is identified (or a suspicion rose), every government official is obliged to inform the Police Anti-trafficking Coordinating Officer (hereinafter: the "PTC"). Once a victim was identified, she/he is properly referred to a shelter for victims of trafficking. Numerous trainings are conducted to all relevant

governmental staff and officials on this issue, and information leaflets are distributed by the National Anti-Trafficking Unit (NATU) to the relevant authorities.

87. For more information, see Annex I.

Immigration 'Gradual Procedure' with regard to victims of domestic violence

88. In October 2013, the PIBA published procedure No. 5.2.0019 regarding the gradual process of acquiring civil status in cases of immigrants who are victims of violence inflicted by their Israeli spouse, thus ending the relationship.

89. The procedure allows the victim to part from her/his violent partner and still acquire civil status in Israel. Its terms strive to strike a balance between, on the one hand, preventing the foreign partner from remaining in a harmful relationship just in order to acquire a civil status in Israel, and, on the other hand, the minute justification for granting civil status to foreigners who are no longer in a relationship with an Israeli spouse, and who have not yet assimilated in Israel.

Handling domestic violence among foreign nationals

90. As mentioned above, every woman, including foreign nationals, exposed to violence can be referred to a shelter. About 80 women with no legal status in Israel enter the shelters for victims of domestic violence every year. Naturally, the Police handle complaints regarding gender-based violence from all population groups, including foreign women. Relevant police stations where there are a greater number of foreign residents have regular interpretation services, and every police station may have an interpreter brought in when needed, so that every investigation is conducted in the language of the woman who is being interviewed. The Police meet with representatives of the welfare authorities on this issue on a regular basis and with "Mesila" (the social services department in the Tel Aviv-Jaffa Municipality), and are fully aware of the relevant needs and sensitivities when addressing the issue of domestic violence among foreign national women.

Protection of Women with Disabilities

91. See Annex I.

92. For activities to raise awareness see Question 10.

Question 13 – Trafficking and Exploitation of Prostitution

93. Recent years have shown that Israel has made remarkable progress in its continuing efforts to eliminate trafficking in persons. In its Trafficking in Persons Report for 2016, the United States' State Department ranked Israel as Tier 1 for a fifth consecutive year - a demonstration of the U.S. Government's recognition of Israeli practical efforts and an important external evaluation that Israel is fully meeting the minimal standards required for the eradication of TIP.

94. For more information, see Annex I.

Question 14 – Participation in Political and Public Life

The Knesset

95. In the current 20th Knesset, the proportion of women MKs has increased to 27.5 per cent (33 women MKs), compared to 22.5 per cent in the 19th Knesset. Two (2) of these women are Arab MKs. Of these 33 women, two (2) serve as deputies to the Knesset speaker; and five (5) women serve as chairpersons of Knesset Committees.

96. The issue of women's participation in political parties is regarded very seriously. For example, in the elections to the 20th Knesset, publications appeared arguing that unlawful coercion had been exerted on ultra-Orthodox women to keep them from running in the elections. According to the allegation, a rabbi had published statements in relation to women approaching any party not under the leadership of the "Great Torah Sages". According to the publication, a woman acting contrary to the rabbi's instructions would have to leave her marriage without her ketubah (the money due to her upon divorce), her livelihood would be destroyed (it would be forbidden to study in her educational institutions or to purchase any product from her) and her children will be removed from their institutions of study. In light of the severity of these comments, the Deputy Attorney General (Counselling), approached the Chairman of the Central Elections Committee that communicated this matter, together with a strong condemnation of acts of this kind to all the chairpersons of the parties running for the 20th Knesset.

The Government

97. In the current 34rd Government, the percentage of women ministers has increased from 9.7 per cent to 16 per cent. Currently there are four (4) women Government Ministers: the Ministers of Justice, Culture and Sport, Aliyah and immigrant Absorption and Social Equality. The Deputy Foreign Minister is also a woman.

98. For further information on women in political life see Question 15.

Women representation in the Court System

99. **The majority of judges in Israel today are women**: Out of 725 Judges in total, 369 (51 per cent) are females, and 354 (49 per cent) are males. In 2017, two (2) women of Ethiopian decent were appointed as Magistrate Court judges for the first time in the judicial system.

100. In January 2015, a woman was appointed to serve as the President of the Israeli Supreme Court, the second female president of the Supreme Court.

101. In the Supreme Court of Israel currently, there are four (4) female justices and eleven (11) male justices.

102. In the District Courts, there are 94 (45 per cent) female judges, and 114 (55 per cent) male judges. All of the female judges are Jewish, while among the men there are six (6) Muslim Judges, four (4) Christian Judges and three (3) Druze Judges.

103. In the Magistrates courts, women constitute the majority of judges; 219 judges are female (53 per cent), and 195 are male (47 per cent). Out of the female judges, 206 are Jewish, nine (9) are Muslim and five (5) are Christian. Out of the male judges 172 are Jewish, twelve (12) are Muslim, seven (7) are Christian and three (3) are Druze.

104. In the Labour Courts, women also constitute the majority of judges, amounting to 62.5 per cent of the judges in the National Labour Court and 63 per cent in the Regional Labour Courts.

105. Similar findings are also evident in the Court of Traffic Offences, with a majority of 13 (59 per cent) female judges out of 22 judges in total.

The Rabbinical Courts Administration

106. The Rabbinical Courts Administration acts in accordance with the directives of the CSC and has been making efforts to increase the number of female employees in its ranks. For example, a woman was recently appointed to the position of Director of Human Resources at the Rabbinical Courts Administration, with significant consideration being given to the gender aspect of the hiring, in addition to her high professional qualifications.

The Sharia Courts

107. On April 25, 2017 the Judicial Appointments Committee appointed the first woman to serve as a judge - Qadi, in a Muslim Religious Court. The appointed Qadi received the support of all nine (9) members of the committee. This is a positive development for Muslim women and for the religious courts in Israel in general.

Senior positions in the public sphere

108. Since 2011, women have been appointed to serve in the following positions: the Chief Commander of the Ayalon Region of the Police - the first woman to be appointed to command a region; in addition, a woman was appointed for the position of Director of the thoracic surgery unit in the Soroka Medical Centre in Be'er-Sheva. Since 2014, two (2) women have been appointed for the position of Director General in Government Ministries – Director General of the Ministry of Justice and the Ministry of Transportation and Road Safety, and a woman is a Director General at the Israel National Road Safety Authority. In addition, in November 2013, the first woman was appointed to serve as the Governor of the Central Bank of Israel. Also, in November 2015, the Minister of Public Security appointed a woman to serve as the Israeli Prisons Service Commissioner. In April 2017, a woman was appointed as the director of Yitzhak Shamir Hospital. Women have also served as directors of the Carmel Medical Centre and Ha'Emek Medical Centre, the psychiatric hospital in Mizra and the geriatric hospital "Shoham".

The Foreign Service

109. To date, there are 23 women serving as heads of diplomatic missions in one of the 100 Israeli missions worldwide. In recent years, an equal number of men and women enrolled in the diplomatic cadets' course. Three (3) Arab women are currently serving in the Israeli Foreign Service, two (2) as Deputy Ambassador in embassies abroad and a third recently joined the diplomats' cadets' course.

Government Companies (State boards)

110. There has been an increase in the rate of women in government companies – of the 437 total serving directors: 189 (43 per cent) are women. This is a 10 per cent increase since 2007 (33 per cent in 2007 and 40 per cent in 2011). Nine (9) (2 per cent) of these women are Arab, and one (1) woman is of Ethiopian decent (0.2 per cent). 67 per cent of government companies (61 out of 91) reach adequate representation (50 per cent) of women in their directorates.

111. For more information see Diagram No. 4, Annex II.

"Team of Directors"

112. Since 2013, in the framework of reforms led by the Government Companies Authority (the "**GCA**"), the GCA has conducted a public procedure called the "Team of Directors". In this procedure, candidates for the position of directors in government companies are identified out of the general population. The purpose of the procedure is to identify the most skilled and appropriate candidates for the role, while providing an equal opportunity to the general population. The list of recommended candidates formulated by the GCA is provided to the Ministers, who, by law, are authorized to appoint directors to government companies. The "Team of Directors" procedure sets quotas for women and members of the Arab population, enabling them to compete in the procedure, thus increasing their likelihoods of being appointed as directors.

113. A significant increase in the representation of women on boards of government companies was indicated following the establishment of "Team of Directors": 44 per cent of the directors appointed from the Team were women. However, challenges still remain

regarding the representation of Arab women. For example, out of 7,100 candidates to the Team in 2015, 270 were of Arabs, and out of those, only 37 women (0.5 per cent of all candidates).

114. A public committee appointed by the head of the GCA, published its conclusions in 2016, and recommended to form an annual programme to include varied populations in the Team. Subsequently, the GCA has been formulating an action plan to increase awareness of the "Team of Directors" and encourage varied populations, including Arab women, to participate in the procedure. In order to achieve this goal, the GCA is negotiating with relevant organizations, the Chairperson of the Committee on the Status of Women and Gender Equality, etc. The GCA continues to present the importance of including varied populations in boards at different conventions and seminars, including the annual GCA convention and in the directors' course that the GCA currently leads. In 2013 the AAW conducted a training programme for supervisors on the status of women in government corporations.

Recent legislation

Development in the Companies Law and Regulation

115. Section 239(d) of the Companies Law 5759-1999 (hereinafter: the "Companies Law") requires that in a company in which, on the date of appointment of an external director, all members of the board of directors of the company (not taking into account the controller or her/his relative if they serve as directors) are of the same gender, the external director appointed shall be of the other gender. An amendment from 2016, of the Companies Regulations (Companies Which Securities are Traded Abroad) 5776-2000, stipulates that in cases where the obligation to nominate an external director will not apply regarding companies that are listed abroad, the obligation for a non-same-gender board member would still apply. Amendment No. 16 of 2011 to the Law set out, in Section 363A (b) (11), the authority of the Israel Securities Authority to impose monetary sanctions on a company that violates this provision. Amendment No. 23 of 2013 to the Companies Law, provides that a Public Benefit Foundation in which all of its Board of Directors members are of a specific gender, is obliged to appoint an Independent Director of the other gender.

Equal representation

116. In 2011, the Equal Rights for Women Law 5711- 1951 was amended. The Amendment added the duty to maintain appropriate representation of women in government examination committees. In addition, a mechanism had been set, deigned to assist in exercising the duty of appropriate representation of women in government examination committees, by establishing a database, to be operated by the AAW, that shall include names of women suited to be candidates for membership in the committees; in addition the law obligates an entity that has appointed a committee and had failed to locate appropriate women candidates, the duty to request to be given names out of the database and make contact with one of them.

Women in the Public Sphere

An Inter-ministerial team to prevent the exclusion of women from the public sphere

117. On January 5, 2012 the Attorney General appointed an inter-ministerial team aimed to examine ways to tackle incidents involving exclusion of women from the public sphere. The team was established after increasing reports on various incidents of discrimination against women and their exclusion from the public sphere, sometimes with the exercise of verbal and physical violence. The team filed its recommendations with the Attorney General on March 7, 2013, which were adopted by the Attorney General in May 2013 and a team headed by the Deputy Attorney General (Consulting) was appointed to implement the recommendations.

118. Concrete steps taken to implement the Report – See Annex I.

Recent Case Law

119. In December 2015, the Supreme Court rendered a precedential decision according to which it is possible to recognize a class action as an enforcement mechanism in cases of discrimination against women and the exclusion and discrimination of women as compensable damage. This decision regarded an ultra-Orthodox radio station which refrained from broadcasting women in different capacities.

120. For further information see Rq.C.A 6897/14 Radio Kol Berama v. "Kolech" - Religious Women's Forum (9.12.2015), as well as other relevant case law on this issue, see Annex III.

Question 15 – Women in Local Authorities

Amendment No. 12 to the Municipal Council Law (Funding of Elections), 5774-2014

121. The two (2) private bills mentioned did not advance into a formal law. Nevertheless, two other private bills regarding women's representation in local authorities were legislated since Amendment No. 12 to the Municipal Council Law (Funding of Elections) 5774-2014 (hereinafter: Amendment 12). Amendment 12 provides for 15 per cent additional funding to bodies that run in the elections (e.g. political parties, independent lists etc.) thereof at least one-third (1/3) of their elected and serving members are female. The additional funding begins after the State Comptroller provides a positive audit, and it maintained during their period of service (until the next elections). The Amendment applies to elections of city and local councils, but does not apply to regional councils.

122. As for Amendment 12's impact on the acceleration of women's participation in local government, note that the last local election were held in 2013, prior to the Law's date of entry into force, and the next local elections will take place in 2018.

Gender Mainstreaming in Local Authorities

- In 2016 the AAW formulated a plan for the promotion of gender equality in general population through the municipal authorities. More than 170 local authorities have enrolled to the plan, which incorporates a wide range of activities in various fields such as work and employment; financial empowerment; advancement of women to key positions; equality in parenting; eradication of gender stereotypes; gender-related health issues; raising awareness for the prevention of violence against women; incorporating gender mainstreaming in all areas of life; The project was initiated in 2017.
- In February 2015, the Director General of the Ministry of Interior circulated a notice to the heads of local authorities emphasizing the importance of implementing Amendment 12. Also reiterating that the AAW maintains a database of women who are qualified prima facie for senior positions in the public service.
- Following Government Resolution No. 4382, titled "Increasing Women's Municipal Representation," the AAW conducted state-wide courses on municipal leadership, with the aim of creating a cadre of women with potential for integrating in key positions. The courses were held during 2013-2014 and were attended by approximately 700 women from twenty (20) communities around Israel. The AAW dedicated 2 Million NIS (540,540 USD) towards this goal through the initiation, planning and execution of plans, leadership courses and more, to promote women into positions of power, through granting them tools and abilities to compete in local elections and encourage more women to take part in local elections.

- In 2014, the AAW initiated a special programme aimed at raising the number of Arab women representatives in the local authorities, through specially tailored plans to promote women to position of leadership, enabling them the requisite tools and abilities to run for office, and encouraging women to take part in leading the local authorities. The programme took place in Nazareth and was attended by female activists on the status of women and the local authorities' advisors on the status of woman. The contents included background in gender mainstreaming, gender politics, rules and procedures in local governance, gender budgeting, election management, public relations, communication relations, daily political practicalities, social media and internet and campaign management.
- In the 2013 local elections, the AAW issues a general call to all political parties and local parties to include women on an equal basis on their list of candidates, thus giving due regard to the principle of equality. Note that although the level of women representation in local municipalities remained the same (2.3 per cent), the level of elected officials rose from 11 per cent in 2009, to 14.7 per cent in 2013 – a 30 per cent increase. The AAW further approached the elected heads of local officials, urging them to appoint women as their deputies. The AAW maintains a routine database on women's representation in local authorities, councils, board members of municipal corporations. etc.
- In 2016, a joint committee initiated by the Minister of Interior was established in order to encourage the promotion of women to senior positions in the local authorities and increase their representation. The Committee includes representatives of the Local Administration, the Ministry of Finance, MOI, MOE, and EOC.

Question 16 – Nationality

The Citizenship and Entry into Israel Law (Temporary Provision) 5763-2003

123. Following the horrendous wave of terrorist attacks which had begun in March of 2002, when 135 Israelis were killed and another 721 were injured, and since many of the terrorists involved in those attacks had acquired Israeli civil status based on family unification, which they took advantage of to engage in those attacks, the Government decided to temporarily suspend granting family unification to individuals who reside in an enemy state or in an area from which terrorist activity was emanated against Israel. Subsequently, the Citizenship and Entry into Israel Law (Temporary Provision) 5763-2003 was enacted, limiting the possibility of granting residents of the West Bank and the Gaza Strip Israeli citizenship pursuant to the Citizenship Law 5708-1952, or permanent residency pursuant to the Entry into Israel Law 5712-1952 including by means of family unification.

124. The Law enables entry into Israel of spouses and children of Israeli residents according to the specific provisions detailed in the Law, as well as entry of non-residents for the purposes of medical treatment, employment, or other temporary grounds, for an overall period of up to six (6) months. In addition, the Law allows the granting of a temporary residence permit for humanitarian reasons or a permanent residence permit under special circumstances.

125. The Law's constitutionality was scrutinized and upheld by the majority of the Supreme Court sitting in an extended panel of eleven (11) judges for the second time in January 2012. (H.C.J. 466/07, 544/07, 830/07, 5030/07 MK Zehava Galon et. al. v. The Minister of Interior et. al.). The Law was extended several times and it is currently valid until June 30, 2017.

126. The wave of terrorist attacks that began in October 2015 has shown that Israeli civil status given for the purpose of family unification is still widely taken advantage of in order to

engage in terrorist activities. Nevertheless, the Supreme Court has stated in a number of recent cases that there is room to consider some changes in policy, given the length of time that has passed since the enactment of the Law and the difficulties that it has caused. In light of the above, the Minister of Interior decided on a number of changes aimed at providing humanitarian relief for those that the Law applies to. Thus, the Government notified the Court that holders of temporary residency (A5) visas would be able to extend the visa for a period of two (2) years instead of one (1) year at a time. The Government also notified the Court that holders of temporary stay permits, whose family reunification applications were made before the end of 2003 (the year the Temporary Provision was enacted) would be upgraded and acquire temporary residency which includes registration in the Population Registry and social security and national health insurance benefits, alongside receiving an Israeli identity document. This decision should affect some 2,000 families. Furthermore, it was determined that the Advisory Committee to the Minister will be instructed that in relevant humanitarian circumstances, recommendations for two (2)- years-long permit may be given, as opposed to the current state of affairs whereby the recommendation is limited to one (1) year. These decisions strive to strike a balance between security concerns and humanitarian needs.

Question 17 – Education

Recent legislative amendments

127. On March 24, 2014, Amendment No. 4 to the Pupil Rights Law (hereinafter: the Pupils Rights Law) was approved by the Knesset. This amendment added sexual orientation and gender identity to the list of grounds upon which discrimination of pupils is prohibited.

128. On July 11, 2011, Amendment No. 3 to the Pupil Rights Law was approved by the Knesset. This amendment added national origin to the list of grounds upon which discrimination of pupils is prohibited.

Arab and Bedouin women and girls

129. In the last five (5) years, over 30 new schools were established for the Bedouin population in Israel, in addition to new kindergartens. Most of these schools are equipped with science and technology laboratories, computer classes, and other advanced educational tools. In 2015 approximately 91,000 Bedouin pupils attended various frameworks in the education system.

130. As part of Government Resolution No. 3708, several plans for the years 2012-2016 were approved to improve the scholastic achievements amongst pupils in the Bedouin population, entailing a total budget of 124 Million NIS (33.5 Million USD).

131. The Science and Technology Training Institute, under the auspice of the Ministry of Education (MOE), operates a special course that includes a full scholarship, a monthly income scholarship, and paid transportation fees for Bedouin pupils who meet the relevant requirements. In 2014, 48 pupils, including 13 female pupils, began their studies and an additional 100 pupils were integrated into this learning course in 2015.

132. On September 23, 2014, the Government approved Resolution No. 2025 in which it resolved, inter alia, to conduct a pilot programme of day-care centres in three (3) industrial areas in the Negev area and to expand the number of subsidized nurseries and afternoon frameworks.

133. For more information see Annex I and Tables No.14-16 in Annex II.

Equal Budgeting

134. See Annex I.

Gender Programmes

135. The MOE holds gender programmes in groups for girls from the Arab, Bedouin and Druze communities on prevention of early marriage. The purpose of those programmes is mainly: developing awareness and self-empowerment, increasing awareness to equal opportunities and freedom of choice, and providing academic and professional guidance.

136. One of the programmes for example is entitled: "preparing for family life". In 2016, 160 groups of pupils participated in the programmes, out of which 46 groups in different schools participated in the "preparing for family life" programme. In total, 1,276 Arab pupils participated in a gender programme, out of which 1,112 girls.

137. In 2015, the Department for Psychological Services for Child (SHEFI) developed a programme for Arab high schools called "friendship and intimate relations without violence", which deals with mutual, respectful intimate relations, and mutual respect. Approximately 2,500 pupils from 80 different towns participated in this programme in 2016. The programme is also intended for teachers and school counsellors.

Education on sexual and reproductive health

138. Schools all over the country operate the programme "life skills" which entails lessons on relationships, intimate relationships and reproductive health. There are also education programmes on this issue that are held together with Joint-Ashalim Organization, in the municipal level.

Seminar for teachers on preventing child marriage and polygamy

139. An annual seminar is conducted for teachers from the Bedouin community by the MOE on issues of: preventing child or early marriage, forced marriage and polygamy.

140. The "preparation for family life" programme which is mentioned above, operates in all high schools in the Bedouin population, specifically in the higher classes, since 2006 and the contents match the pupils' ages. In the higher classes, 10^{th}-12^{th}, the programme highlights the values of respect between genders, reducing the polygamy phenomenon, solving conflicts and preventing domestic violence. The programme is updated according to feedback from the field, for example recently the programme was updated so it now includes preparation for 'employment life' among Bedouin boys and girls, assuming that selecting an occupation and a career direction is highly effected by perception of genders.

Gender Education

141. Girls and boys in Israeli high schools today enjoy the possibility to study gender extensively, including: social science studies - sociology studies include a chapter on gender; There is an option to study two (2) units in gender and a matriculation exam on the issue and a research project may be submitted in this subject; history studies (obligatory for all pupils) - when studying of the 19^{th} century revolutions, the pupils learn of the feminist revolution and can submit a research project about history and gender; civics studies (obligatory for all pupils) - the pupils may submit a research project about civics and gender. Expanded literature studies - there is an option of one (1) study unit in the subject of gender in literature.

142. In addition, a variety of education programmes on gender and women empowerment are performed in schools, for example: "Equal talk" programme; "Chain" programme; "Light from the east" programme and "Aliyah, identity and gender" programme – for elaborated information see Annex I.

Gender Mainstreaming in the Education System

143. On December 16, 2015, the AAW held a one-day seminar for school counsellors with the purpose of implementing gender mainstreaming in the education system, the keynote lecture was on "Gender and Sexuality".

Dropout Rate in the Jewish and Arab Populations

144. In 2014-2015, the total dropout rate in the Jewish population (grades 7 to 12) was 2.1 per cent (compared to 2.8 per cent in 2013) and in the Arab population it stood at 3.5 per cent (compared to 4.7 per cent in 2013).

145. In the Jewish education system, the dropout rate of female minors in the 9th, 10th and 11th grades was 1.1 per cent, 1.2 per cent and 1.5 per cent respectively in 2014-2015, compared to 1.9 per cent, 1.7 per cent and 2.3 per cent in 2012-2013. In the 12th grade the dropout rate of female pupils was 0.5 per cent.

146. In the Arab education system, although the dropout rates of Arab female minors exceeded those of Jewish female minors, they were still relatively low – 2.3 per cent in the 10th grade, 2.2 per cent in the 11th grade and 0.7 per cent in the 12th grade (compared to 3.1 per cent, 2.7 per cent and 1.1 per cent respectively in 2012-2013). The dropout rate of Arab male minors is higher than of female pupils.

147. The MOE operates a special department of attendance officers who regularly visit schools in order to maintain school attendance and prevent pupils from dropping-out. This department works in accordance with the Section 4 of the Compulsory Education Law 5709-1949. As of April 2016, there are 623.7 standard positions of attendance officers and in practice there are 679 attendance officers (an increase of 36 per cent compared to 2010), of which 435 operate in Jewish localities, 75 operate in the ultra-Orthodox population, 138 in Arab localities, and 25 in Bedouin localities. In addition, there are six (6) attendance officers who are designated to pupils of Ethiopian decent. Action taken in recent years has significantly reduced, in almost every grade, the dropout rate among all the populations in Israel.

Eligibility for Matriculation Certificate in Arab, Jewish and Druze Population

148. According to data from 2015, the rate of pupils taking matriculation exams, out of 12th graders within Jewish girls is 89.11, and 95.52 among Arab girls. In addition, recent information shows that 50 per cent of the girls in Arab communities are eligible to enter universities, compared to only 32 per cent of the boys.

149. For more information see Table No. 15 in Annex II.

Encouraging pupils to study science and math– see Annex I

Measures Taken to Review Textbooks

150. The Ministry of Education's Director General Guideline No. 6 titled "Teaching Methods" (May 3, 2015), provides the obligation to ensure that "teaching material will include adequate and un-stereotyped representation of both genders, and of all populations in the Israeli society, suitable to the requirements of the relevant educational programme." All textbooks undergo gender-focused editing before being approved by the MOE and it is a pre-condition for approving textbooks. In addition, all study units are developed along with the Department for Gender Equality.

Foreign Workers' Children

151. According to MOE data, 100 per cent of children of foreign workers in Israel between the ages of 3 and 18 are integrated into kindergartens and schools.

Teenage pregnancies

152. According to information by the MOLSASS, in 2016, 279 teenage girls (under age 18) had an abortion or gave a child up for adoption. 181 young women (age 18-25) had an abortion or gave a child up for adoption.

Question 18 – Higher Education

Students

153. Statistics show that since the 1990s there is a rise in the number of women in academic studies, and currently, above 50 per cent of all bachelor to doctorate degree's students are women. A remarkable increase was indicated in the percentage of female doctorate students, which observed an increase from 41 per cent in 1990 to 53 per cent in 2015.

154. Nevertheless, challenges still remain. The gender representation in higher education institutions is characterized over time by a "scissors trend": while women constitute more than 50 per cent of bachelor, master and doctorate degree students, their representation rate drops in higher academic ladder, when at the top of the pyramid, at the rank of full professor, the representation of women totals about 15 per cent at universities and about 10 per cent in colleges. In addition, in areas of study there is still gender segregation.

155. See Diagram No. 5 and 6 in Annex II.

Legislation

156. In 2014, the Sexual Harassment Regulations (Employer Obligations) 5758-2014 were amended. This regulations provide that hierarchy relations and dependency that exist between an employer an employee, exist in higher education institutions; therefore, the same obligation that applies to an employer according to the Law, would apply to such institutions as well; the institution shall be perceived as the employer; the teacher or lecturer – as an employee or supervisor by the employer; and the student as an employee. That means, inter alia, that the academic institute will have to adapt its disciplinary law so it will provide that sexual harassment is a severe offence; publish the prevention of sexual harassment regulation; appoint a designated person charged with receiving complaints on sexual harassment and addressing them, and more.

Academic Staff

157. Though women are still under-represented in higher education staff, it is evident that between 2003 and 2015 there was an increase in the number of women in various ranks at universities, leading to an overall percentage of 30 per cent of women in the senior academic staff at universities and 42 per cent in colleges. (13 per cent and 17 per cent as full professor respectively).

158. See Table No.17 in Annex II.

The Committee for Promoting and representation of women in higher education (Arnon Committee)

159. In 2013 the Planning and Budgeting Committee (PBC) and the Council for higher Education (CHE), in conjunction with the National Council for the Promotion of Women in Science and Technology, appointed the Committee for the Promotion and Representation of Women in Institutions of Higher Education. The Committee examined the main issues and barriers regarding representation of women in the Academia. In July 2015 it published its recommendations focusing on three (3) prominent issues – encouraging women towards academic research, recruiting women into the academic staff and promoting women in the senior academic staff.

160. In July 2015, PBC and CHE approved several resolutions on the basis of these recommendations, including: gradually doubling the number of scholarships in the programme for excellent post-doctoral female students; funding allocation for the purpose of expending women in higher staff; updating the calls for proposals and statutes of the adjudicatory committees of excellence scholarships so they would assimilate gender reference in them – and indeed, in late 2016 they were updated accordingly; instructing the education institutions that with regard to "Alon" and "Maof" scholarship programmes for science and engineering, among the candidates taking the examination, at least one half (1/2) shall be women. In the event that the rate drops to below 50 per cent, the institution shall be obliged to provide a detailed explanation and specify its efforts on the matter.

161. In total, the budget allocated for the implementation of this Committee's recommendations is roughly six (6) Million NIS (1.666 Million USD) in 2017 and six (6) Million 2018 (including matching funding by the institutions).

Gender Equity Advisors

162. The PBC allocated a budget for advisors for gender equity programme in higher education institutions for 2017-2019 at a maximum annual cost of 1.1 Million NIS (305,500 USD), and to further allocate funding for an extensive activity to promote this issue for a period of three (3) years with up to 600,000 NIS (166,600 USD).

Scholarships for women

163. On June 19, 2013 the PBC launched the 2014 Scholarship Programme for excellent post-doctoral female students in order to assist excellent doctoral female students from research universities in Israel to attend post-doctoral courses in leading universities abroad. During 2014 and 2015, ten (10) scholarships were awarded each year at the sum of 20,000 USD a year for a maximum period of two (2) years. On July 1, 2015 the PBC decided to double the number of scholarships in this programme in a gradual manner. In the PBC "Perach" and "Assistance fund" scholarships the majority of scholars were women (74 per cent and 65 per cent) respectively.

164. In 2015-2016, at least 50 per cent of the applicants for the majority of scholarships were women, except in the Alon scholarships programme where the percentage of women who were considered stood between 25 per cent-35.

165. See Diagram No. 7, Annex II.

Ultra-Orthodox population

166. Within the ultra-Orthodox Society the representation of women among students is significantly greater than the representation of male students and constitutes about 80 per cent of the total number of students during the years 2015-2016. The PBC invests many efforts and resources in order to allow the ultra-Orthodox population to better integrate into higher education system and subsequently into the labour market. In addition to the 'Maharim' (see below) framework, the PBC established a programme for scholarships and loans for ultra-Orthodox students. During 2016 about 2,500 ultra-Orthodox students participated in this programme, 50 per cent of them were women.

Five (5)-Year Programme ("Maharim")

167. 2016-2017 was the concluding year for the "Five year programme" which was established by the CHE and PBC in 2012. This is a unique programme, aimed at integrating the ultra-Orthodox population in the academy.

168. For more information see Annex I.

The Arab Population

169. The Arab population in Israel constitutes approximately 20 per cent of Israel's population, and an estimated 26 per cent of the relevant age group. In recent years, the rate of Arab students among the total students studying for their first degree has been steadily increasing. According to figures from the CHE, in 2014-2015, the rate of Arab students studying for a bachelor's degree in universities stood at 14.6 per cent, compared to 9.9 per cent in 2006-2007. A further increase is also evident in master's and doctorate degrees. In 2014-2015, Arab students constituted 8.8 per cent of all students learning master's degrees (compared to 6.7 per cent in 2009-2010 and 5.9 per cent in the 2006-2007) and 5.7 per cent of the students studying for doctorate degrees (compared to 3.9 per cent in 2009-2010 and 3.5 per cent in 2006-2007). The rate of participation of Arab students has also increased considerably at academic colleges - from 5.5 per cent in 2009-2010 to 9.8 per cent in 2014-2015 with bachelor's degrees, and from 3.8 per cent in 2009-2010 to 8.1 per cent in 2014-2015 with master's degrees. These increases are attributed, among other things, to the opening of higher education institutions in peripheral areas which increased the accessibility of higher education to the Arab population.

170. Within the Arab population, there are more female students than male students, so that **women constitute more than 60 per cent of the Arab students**. The rate of the women who meet the university threshold is 51.2 per cent, compared to 32.6 per cent among men.

171. Accordingly, the majority of the Arab scholarship candidates since 2014 were women, 67 per cent in 2014-2015 - See Diagram No. 8, Annex II.

172. For more information see Tables No. 18-19, Annex II.

Question 19 - Employment

Women and Parents in the Labour Market

Recent Legislation

173. The following amendments indicate on an ongoing change towards a more suitable dynamic for the family unit, as a further way to promote gender equality in the labour market.

Birth and Parental Period

Extension of maternity leave

174. On March 21, 2017 the maternity leave period of which parental allowance is paid was extended from 14 to 15 weeks, according to the criterions under the Law (Amendment No. 57 of the Women's Employment Law 5714-1954 (hereinafter: Women's Employment Law).

175. In addition, the Amendment extends the flexibility in the entitlement of a father to parental leave; inter alia, the father may go on paid parental leave for a period of one (1) or more weeks (instead of a minimum of three (3) weeks). The purpose of this amendment is to encourage the exercise of this right by fathers, thus promoting greater fathers' involvement in raising their children. Furthermore, a father can take seven (7) days of parental leave simultaneously with his wife, and will be able to utilize them at any stage of the parental leave, according to the provisions under the Law.

Absence of spouse after birth

176. Amendment No. 54 of the Women's Employment Law (Section 7(C3)), provides that an employee may be absent from work up to five (5) days after the birth by his spouse. The first three (3) days of absence counts as an annual leave (and if he has utilized all his annual leave at the time of birth, he will be entitled to an unpaid leave). The two (2) remaining days

of absence are paid as sick leave, and they are regarded as the second and third sick days, meaning days in which 50 per cent of the salary is paid. Note that this is additional to the extension of maternity leave to fifteen weeks mentioned above.

Parental leave for a father whose wife is self-employed

177. Amendment No. 193 of the National Insurance Law 5755-1955 (hereinafter: "National Insurance Law") from April 20, 2016, provides that an employee whose wife is self-employed is entitled to parental leave in lieu of his wife; this Amendment compares the conditions of a spouse whose wife is an employee.

Renaming the maternity leave, representing a new perception

178. According to Amendment No. 55 of the Women's Employment Law (2016) the name of the maternity leave was amended to "birth and parental period". The former name of maternity leave in Israel was (in literal translation) "birth vacation". The aim of this amendment is to change the social perception that this is not a vacation but a period requiring adjustment and personal preparation, and to strengthen the understanding that this right is also available to the father, aimed to encourage gender equality.

Hospitalized infant

179. Amendments 49, 50 and 55 (2016) to the Women's Employment Law has broadened Section 6D(1) of the Law with respect to a female employee who has given birth and her child needs to stay in hospital or return to hospital for over two (2) weeks, and she will be entitled to extend the period of leave for up to 20 weeks, where necessary, even if the hospitalization period was not sequential.

Parental Hour

180. Amendment 56 of the Women's Employment Law of March 30, 2017 extends the number of women who are eligible to a shorter working day (an hour of absence). The law now grants this right during the first four (4) months after returning from a period of Birth and Parental Period not only to women who work full-time but also to women who work less than that, according to the criterions under the Law. Thus, the Amendment can benefit women who work less than a full time job (though many hours nonetheless), and want to pursue their parental commitments simultaneously. Amendment No. 55 to the same Law provides that the parenthood hour can be used alternately by the father and the mother, and applies on designated parent within surrogacy process or an adoptive parent. This Amendment enhances the use of parental rights by both mothers and fathers as well as encourages fathers to take an active part in child-raising. Note that in July 2015, the Civil Service Commissioner approved a shorter working day for a parent of a child up to one (1) year-old for men whose spouse is in maternity leave, in order to encourage fathers to actively participate in parenthood and equally share their family responsibilities.

Protection of pregnant women against dismissal

181. The Israeli law includes an extensive protection against the dismissal of pregnant women; the law defines relatively long periods of protection, and in most cases it will require a permit of the MOLSASS before a dismissal of a pregnant woman; other cases are not eligible for a permit request to begin with (see, for example paragraphs 415-416 in the State's previous report, CEDAW/C/ISR/4). Since the previous report, this protection has been expanded: the provisions on protection against dismissal apply now also on an adoptive parent, a designated parent (a male or female employee receiving a child into their custody) and in a foster family (Amendment No. 48 (July 11, 2011)).

Absence due to fertility treatment

182. Since 1990 the Women's Employment Law (Absence Due to Fertilization and Fertility Treatments) Regulations 5751-1990 allows for an absence of up to 12 days a year with a physician's certificate due to fertilization or fertility treatments. This regulation is in accordance to Section 7(c)(4) of the Women's Employment Law.

183. An employee enjoys protection against dismissal under the Women's Employment Law. An employer is prohibited from dismissing employees who were absent due to fertility treatments for the period of their absence and for a period of 150 days after the end of the days of absence without a permit from the MOLSASS.

184. Under Amendment No. 51 (February 24, 2014), the prohibition on dismissal of a female/male employee due to fertility treatments can apply up to two (2) births from each spouse, at the same employer, according to the provisions under the Law.

Stillbirth

185. Amendment No. 172 (2016) of the National Insurance Law, expanded the definition of stillbirth so that it will be deemed a birth which took place from the 22nd week of pregnancy. This means that a woman giving birth after the 22nd week of pregnancy to a dead fetus or the child dies after the birth, will be entitled to a hospitalization allowance, a birth allowance and maternity allowance according to the provisions of the Law.

Equal Salary

186. Amendment No. 3 (March 2014) to the Male and Female Workers (Equal Pay) Law 5756-1996 (hereinafter: the Male and Female Workers (Equal Pay) Law) provides that public bodies that are obligated by law to submit reports regarding employees' salaries shall include a gender account in such reports.

187. Amendment No. 5 of 2014, to the Male and Female Workers (Equal Pay) Law, enables the compensation for violating the Law without monetary loss, at a rate set by the Court's discretion. The Amendment enables to increase the amount of compensation and thus encourages filing claims due to salary gaps.

188. In November 2013, the Regulations for Encouraging the Incorporation and Promotion of Women in Employment and Adapting Employment Positions for Women 5774-2013 were legislated, detailing the selection process that determines which employer shall be given a financial grant or achievement award and the standards for examining the measure of the gender equality within the organization.

Recent Developments

Women in the Civil Service

189. Women constitute 62 per cent of the employers in the Civil Service. 40 per cent of the high-rank positions in the Civil Service are staffed by women. As previously reported, in order to accommodate the appropriate treatment in gender equality and gender issues in general, in the early 90's, it was decided to appoint a Gender Equality Supervisor in every Government Ministry. . In October 2014, following an in-depth examination, the supervisors' authority and duties were officially defined and the term of this duty as well as its benefits were approved. In addition, the official title of this position was changed to "Gender Equality Supervisor and Director Advisor for promotion of Women" (hereinafter: Supervisor). According to recent information from the Civil Service Commission (CSC), until 2015, 80 Supervisors were appointed in various Ministries.

The Department of Gender Equality at the Civil Service Commission (CSC)

190. The Gender Equality Department in the CSC which was established in 1995 ("the Department"), continues to coordinate and enhance this issue in the Civil Service, including participating in Knesset Committees, integrating gender perspectives in decisions adopted in the CSC, holding training sessions and promoting female leadership as well as conducting courses on prevention of sexual harassment for cadets, senior staff members etc. The Department for Gender Equality in the CSC publishes an annual report, "Leading for Change", which included all the activities taken to advance gender equality in the Civil Service.

The Stauber Report and implementation progress

191. In June 2014, the Government approved Resolution No. 1697, in which it resolved that within five (5) years women shall reach a representation level of 50 per cent in all the top management ranks in the Civil Service. Currently, the representation level stands at 44 per cent with regard to top management ranks.

192. This Resolution followed the report of The Committee for the Advancement of Women in the Civil Service ("The Stauber Committee"), which was appointed in 2014 by the Civil Service Commissioner and the Supervisor on Wage and Labour Agreements in the Ministry of Finance. The Committee issued a comprehensive report, which included a full data analysis and statistics of women employment in the Civil Service, presented the main obstacles and reasons for the current status of women in the Civil Service, ways to tackle them, and more.

Certificate of an Advanced Employer

193. Following the publication of the Report, the Government requested that the CSC take action to implement the recommendations of the Committee, including, inter alia, proposing legislative amendments and awarding a "Certificate of the Advanced Employer" to a Ministry that meets the targets for appropriate representation set by the Commissioner. In January 2017 all Ministries and support units completed the questionnaire for the Advanced Employer Certificate for 2016. A judicial committee convened to choose the winning Ministries in the different categories.

194. In addition, the Government ordered the Commissioner to report every six (6) months to the Ministerial Committee for the Advancement of the status of Women, until a complete implementation of the recommendations is achieved. Government Resolution No. 2043, (October 7, 2014), approved an additional funding of 2.75 Million NIS (690,000 USD), to further implement the above recommendations.

195. The 2017 Strategic Plan for Human Resources in the CSC and the Gender Equality Department of the CSC' annual plan, include various ways to promote women in the Civil Service, and meet the objectives which were defined in the Stauber Report. For example, one of the targets that was set at rate of 50 per cent women in each year of the Civil Service's talent management programme at the Civil Service's National College of Governance, Leadership and Management. Recently the first year of this programme began, and there are more than 50 per cent women.

The Gender Equality Index

196. In recent months, an assessment report of the CSC was issued on the "Gender Equality Index" addressing a variety of parameters on the issue of gender equality in every Ministry. The report was sent to all Government Ministries and support units. As part of the process of publishing this report, each Ministry received comprehensive information on the salary gaps in their Ministry.

Work from home pilot

197. The Department of Gender Equality in the CSC is part of an inter-ministerial team which determined rules for the implementation of the "work from home" pilot programme. This pilot programme began in 2016, and enables work from home in the afternoon hours for female and male employees who are parents, serve in an intermediate level position and above, and satisfying the criteria determined in Commissioner's Guideline 1/2016. The pilot programme currently includes over 1,000 employees.

The Commissioner Guideline on variable wage components

198. The Stauber Committee found that salary gaps between women and men in the Civil Service derives inter alia due to variable salary components. For example, gaps in standards for vehicle allowance, overtime hours, and on-call hours. In light of the foregoing, in 2014 the Commissioner issued a Guideline which includes criterions for setting salary components, under the assumption that higher transparency would narrow the possibility for discrimination in salaries of the same position. In addition, the Guideline also requires to report on varied salary components to the CSC, which would not only improve transparency but would also benefit the CSC in monitoring and narrow gender salary gaps due to these components.

The Commissioner Guideline on Short working Day in August

199. In 2016, the Commissioner published a guideline according to which in August, a time in which the majority of children are on summer vacation from the education system, every employee is entitled to work one (1) hour less than usual, or to take a day off.

Parents' Rights in the Civil Service Brochure

200. The Department of Gender Equality in the CSC issued and distributed a brochure on parental and family rights in the Civil Service, consisting of all rights on this matter, including in cases of complications of pregnancy, surrogacy, adoption, etc.

Strategic Plan

201. Guidelines for strategic planning of the CSC include, inter alia, guidelines for Government Ministries on equal parenting, including the holding of conferences, lectures and workshops on this matter. Furthermore, courses were commenced on balancing home and work and creating a workplace which supports the family. For example, on March 29, 2017, the Gender Equality Department of the CSC held a conference titled "Equal Parenting – Family and Career – Possible?". The conference hosted all the Director Generals in the Government Ministries and the HR Managers.

Gender Commissions

202. Under the Commissioner's Guideline 1/2016 (which established the work-from-home-pilot), Gender Commissions are being established in every Government Ministry. They are instructed to examine the barriers regarding equal parenthood and create ways to tackle them.

Cooperation with NGOs

203. The Department of Gender Equality routinely collaborates with various NGOs and members of the Academia on the issue of the advancement of the status of women. Recently, the CSC published an open-call for women organizations and developed an extensive circulation list to which all senior positions in the Civil Service open for recruitment, are sent for the purpose of active recruitment and encouragement of women to submit their candidacy. This is to create awareness and to operate for the advancement of women and to increase the representation of women at the senior echelons of the Civil Service.

Enhancing the Recruitment of Women in Civil Service Tenders

204. In 2017, several ventures were initiated in this area, such as: five (5) Courses for preparing women for tenders, limiting high ranks positions tenure so to allow more women to occupy positions in the Civil Service, a conference is to be held by the Department of Gender Equality in cooperation with the Senior Department for Examinations in the Civil Service, on the issue of gender and cultural biases in human resource tenders in the Civil Service. In recent months the Department has been creating a training pack for coordinators of the examinations committees on this matter, in order to incorporate effective and practicable tools. The Department of Gender Equality is an active participant in various teams of the CSC on this issue, for example, the "Tree of Knowledge" team on active recruitment of women, The Determination of Threshold Conditions for Management in order to verify the removal of barriers to the advancement of women in high ranked positions. In addition, the Department of Gender Equality in the CSC was included in June 2016 as one of the authorizing entities for job descriptions for positions filled via the headhunting committees of the Civil Service.

Pioneering Government Ministries

The Ministry for the Development of the Negev and Galilee - Women Leadership in the Negev

205. In 2014-15 the Ministry for the Development of the Negev and Galilee began implementing a programme titled "Women's leadership in the public sector" designed for branch managers and women employed in local authorities and public institutions in the Negev, with the aim of developing and strengthening women's leadership in the development of the Negev. The Ministry also leads a project to encourage entrepreneurship in the field of tourism by Bedouin women in the Negev. Another project ("promoting excellence"), in which 85 per cent of participants are Bedouin women, aims to assist the participants to complete academic studies and find employment.

The Ministry of Justice – Promoting women leadership in the Civil service

206. In recent years, the MOJ is investing many efforts to create a diverse and equal working environment. This is the second year that the MOJ, as a leading headquarter Ministry, has decided to commence a comprehensive report regarding the level of diverse employment in the MOJ, including in gender aspects. According to the 2016 report, the majority of employees in the MOJ are women, 68 per cent, which is higher than the average amount of women in the Civil Service. Within the high ranks positions women constitute the majority - 66 per cent. Within the Arab employees, women constitute 50 per cent. Moreover, the gender wage gaps in the Ministry are lower than in the rest of the labour market, standing at 12 per cent. In higher ranks the gaps decrease and stand at 2 per cent. This is an improvement compared to the 4 per cent salary gap in 2015.

The Ministries of Transportation and Road Safety, National Infrastructure, Energy and Water Resources and Health – Changing Work-Parenthood Dynamic

207. Recently, the directors of the three above mentioned Ministries, notified their employees that on Tuesdays and Thursdays, meetings will not be convened after 15:00 in order to allow parents and grandparents a family afternoon. This is as part of an agenda to promote family-work balance.

The Ministry of Economy and Industry (MOEI) – Adjusting the annual vacation to school vacation

208. For the last two (2) years, the MOEI has been leading a pilot according to which in the last 10 (10) days of August (days in which in the education system is in its summer vacation), the Ministry is closed.

Ministry of Foreign Affairs – work from home Pilot

209. A two-year pilot programme was initiated in March 2016 permits employees to work from home up to two (2) hours a day on days that they have worked at their office.

Salary Gaps

210. See Annex I.

Business Diversity Index

211. See Annex I.

Women in Hi-Tec Companies

212. See Annex I.

The Equal Employment Opportunities Commission (EOC) at the MOEI

213. See Annex I.

Measures Taken to Combat Sexual Harassment in the Workplace

214. See Annex I.

Recent Case Law

215. See Annex III.

Question 20 – Migrant Domestic Workers

General

216. The total number of foreign workers in skilled employment who arrived in Israel in the course of 2016 was 15,737. This includes 6,420 workers who arrived within the framework of bilateral agreements: Construction: 2,236; Agriculture: 4,125; Caregiving: 59.

Mechanisms to ensure the safe work environment of foreign workers

217. Foreign workers in Israel are not "bound" to a particular employer after their arrival in Israel. They may freely change employers without the need for any special permission, subject to fulfilment of the general registration requirements. The right for liberty of the worker is specified in the Entry into Israel Regulations (Determination of Geographical Areas for the Employment of Foreign Caregivers) 5774-2014 and the Entry into Israel Regulations (Supervisory Measures Concerning the Movement of Foreign Workers in the Caregiving Field) 5774-2014. The freedom to change employers, contributes towards limiting abuse or exploitation of the workers, and is widely used by foreign workers in Israel.

218. Furthermore, a foreign worker in Israel is entitled to the same work conditions as an Israeli worker. In addition employers must provide foreign workers with a written employment agreement, health insurance, and suitable lodging. These conditions are enforced by the MOEI and PIBA.

219. Note that in H.C.J. (Second Appeal) Glutten v. The National Labour court (18.3.2013) the Court interpreted an exception clause in the law in a way that the Hours of Work and Rest Law 5711-1951 does not apply on certain employees as well as to foreign workers in the caregiving field. However, it is important to emphasize that this is exceptional, while all other legal protections of Israeli labour law apply on foreign workers, including the Minimum Wage Law 5747-1987. Moreover, the possibility to change employers allows for the foreign

workers to earn more than the minimum wage. Furthermore, on July 7, 2016, the National Labour Court rendered its decision on the Zeltman Case. According to this decision, foreign workers in the caregiving field are entitled to one (1) rest day in a week, 25 hours long.

220. More protection measures are, for example, a rights leaflet (translated to the relevant language), given to the foreign worker at the consulate in the country of origin, as well as by the private agency through which she/he is employed before arriving to Israel.

221. Complaints regarding employment and residence conditions of foreign workers are brought before the Police or the relevant enforcement authority; every complaint that raises suspicion for the occurrence of an offence is referred to the relevant regional or local investigating units, legal aid is provided without charge in the appropriate cases, and the State Attorney's office, together with the prosecutors, who are the referent for trafficking in the District Attorney's Offices, accompany and consult the Police from the first stages of investigation, coordinated by NATU.

Foreign workers in the nursing care field

222. Since 2011, the employment in the caregiving field regulates their employment through private agencies, who act as the sole representative in all issues concerning processing, brokering and arrival of foreign workers in this field. This employment system is designed, inter alia, to ensure proper conditions for foreign workers, including the payment of wages and fair work terms. This system is also intended to better enforce the law on those who charge foreign workers illegal fees in exchange for their arrival to Israel, and to prevent the previously existing phenomena of binding workers to particular employers. Where foreign workers' rights violations are committed by the private agencies themselves, a process of inquiry is initiated with respect to these violations, and, if required, sanctions are imposed.

223. For more information see Annex I.

Health Care for Foreign Workers

224. The Foreign Workers Order (Employee Health Benefits Package) 5761-2001, which regulates the health services legal foreign workers are entitled to, was amended in 2016. This amendment stipulates that a foreign worker in the nursing care field, will receive a compensation in the amount of 80,000 NIS (20,800 USD), if ten (10) years have passed since she/he has received its permanent working permit in Israel, she/he was found incompetent to fulfil her/his work due to a medical condition and the foreign worker had made the necessary arrangements to fly back to her/his country of origin. The compensation is given due to the fact that once the foreign worker leaves Israel, her/his medical insurance no longer applies and she/he still has medical expenses due. This amendment has been published in the official records in May 2016 and shall enter into force in November 2017.

225. For more information see Annex I.

Foreign workers in cases of childbirth

226. In April 2011 the Supreme Court rendered a decision on "The Procedure for Foreign Pregnant Workers"; this procedure required foreign workers who were at least six (6) months pregnant while living in Israel, to leave the country within three (3) months after giving birth, with the possibility to extend their stay by another three (3) months in humanitarian cases only. The High Court of Justice stated that the Procedure was unconstitutional, on the grounds that it violates women's rights under the Basic Law: Human Dignity and Liberty. The Court cited International human rights Conventions, in support of its ruling. (H.C.J. 11437/05 Kav La'Oved v. The Ministry of Interior et. al. 2009(3), 1688 (13/4/2011)

227. On December 12, 2011, the Supreme Court rejected the State's request for an additional hearing to review the aforesaid ruling. The Court stated that the HCJ ruling is well founded on the internal and international law and thus, although the HCJ ruling holds

significance regarding the formation and implementation of local and foreign workers' rights, it does not constitute a new rule that requires further hearing on the matter. The Court further noted that the constitutional rights for parenthood and non-discrimination on the ground of childbirth are based in the Basic Law: Human Dignity and Liberty and in the labour laws. Moreover, the Court's conclusion that these rights apply equally on foreign workers is not to be reviewed by an additional instance, as the jurisdiction to form a new arrangement, balancing the interests and rights of both parties, is given to the authority responsible for the matter (Ad.h. 3860/11 The Ministry of Interior v. Kav La'oved et. al. (8.12.2011)).

228. The decision of the Court quoted a CEDAW concluding observation that recommended that Israel should "revoke its policies with regard to cancellation of work permits for migrant workers in cases of child birth, marriage and intimate relationships." In addition, the HCJ relies in its decision on the Committee's General Recommendations 21 and 26.

229. Subsequently, in 2013, the PIBA published a procedure concerning foreign workers who are pregnant or who have given birth whilst staying in Israel (Procedure 5.3.0023). Pursuant to this procedure, a foreign worker who came into Israel for work purposes and is legally employed, and who gave birth during the time of her stay in Israel, shall be entitled to remain in Israel in accordance with the provisions of the procedure. In addition, a female worker who had a child during her first 63 months of employment while in Israel, may choose either to leave Israel with the child and then to return and continue working in Israel, or to prolong her stay in Israel, with the child, up to 63 months from having first received a B1 visiting visa.

230. With regard to intimate relations, a foreign worker is of course allowed to marry an Israeli citizen; the citizenship procedure is in accordance with PIBA Procedure 5.2.0008 and 5.2.0009 and during the procedure the foreign worker will receive a temporary staying permit (B1 visa).

Question 21 – Health

Reducing Health-care Inequality

231. In recent years, the Ministry of Health (hereinafter: MOH) has been enhancing the efforts to minimize health-care gaps and addresses inequality in health.

232. As of 2013, a **designated unit** for reducing health disparities was established within the Ministry's headquarters. This unit promotes policies, standards, supervision, training and awareness-raising activities on this important issue, including by hosting conferences for various professionals, the publication of an annual report that monitors such gaps, and explores activities needed for its eradication.

233. Reducing health disparities was defined as a top-priority aim in the unit's strategic plan, and between the years 2011-2015, over 6 Billion NIS (16,216,216 USD) were dedicated to this issue.

234. In the course of 2016, the MOH held a **broad public consultation** procedure with the purpose of co-planning with the public the formulation of the Ministry's plan for decreasing health inequality for 2017-2020. This project included an online call to the public and holding "round tables", two (2) of which were designated for women – the first was held with women who are residents of the unauthorized villages in the Negev and the second was held with Arab women from Acre.

235. In addition, the MOH began to develop an **intervention programme** which is designated to eliminate all forms of discrimination; The Intervention Programme includes consultation with relevant NGOs who were also involved in the work of inter-ministerial team in charge of forming an action plan to deal with racism against persons of Ethiopian decent

and aims to study and implement ways to deal with racism and discrimination and to eliminate this phenomenon from the health system.

236. In 2013 the MOH established a translation **call centre** manned by representatives who were trained to operate as medical translators. This call centre provides translation services 24-hours a day for medical treatment provided by physicians to their patients, in Russian, Arabic, Amharic and French. On average, 1,500 calls are handled by this call centre per month. The MOH also provides financial support for activities made by health funds aimed at reducing gaps.

237. Between 2012 and 2014, a total of 55 Million NIS (14.5 Million USD) were allocated by various health funds for such steps, mainly on Israel's peripheral areas and aimed at reducing gaps among minority populations. The criteria for such support in 2015-2016 were amended in order to put special emphasis on steps conducted in Arabic in regards to social periphery and prevention of diabetes and obesity.

238. Further examples of steps taken by the MOH in recent years to reduce inequalities in health care include: improving infrastructures in peripheral areas, including an additional 1,000 hospital beds and manpower to peripheral hospitals; establishment of a medical school in the Northern Galilee and new emergency rooms in peripheral localities, both in the north and the south of Israel; allocation of additional medical equipment to peripheral areas, including new MRIs, linear accelerators, and PET scan devices; developing financial incentives, including grants and state-sponsored salary raises for specialized doctors to move to peripheral areas; reduction of the maximum co-payments of chronic elderly patients who receive income supplements; discounts on co-payments for the purchase of generic medications, etc.

Health care for Women in the Arab and Bedouin Population

239. The MOH operates many programmes within different communities, both for minorities and for disadvantage populations. For example, based on the value of reducing differences, the District Health-care Bureau in Haifa decided to lead and participate in health promotion programmes (those financed by the public health-care services and others) which focus on certain populations - Arabs, specifically women, persons with disabilities and seniors citizens.

240. Programmes designated for Arab women include also:

Women Leadership in Health Programme within Arab Communities

241. Studies show high obesity rates among Arab women; this project aims to promote healthier lifestyle. Two (2) programmes are currently running in Um Al-Fahem and Mayser. The programme includes series of workshops for a group of women who want to be leaders in their community on health and nutrition. The trainings for the women include 100 hours sessions. These groups of women, separately within every town, underwent a process of empowerment which included increasing their self-efficacy, providing information and skills to lead community health programmes. The end goal of the leading women is to hold house meetings for women concerning healthy lifestyle. So far, the programme has succeeded in recruiting and building a regular core of volunteer leaders group for the health field, which includes 20 women from the community. The leaders led 11 house meetings, each had 3-4 sessions, and included 15-20 women. Over 60 per cent of the women who participated in the house meetings made at least one change in the health habits for themselves or/also their family. In Myser, all 15 women from the group reported on at least one change in their nutrition habits. The leaders created information leaflets adjusted to the local culture; a volume of training content was created, used as basis for the leaders for training in the house meetings. This programme was funded by the MOH and supported by the local authority. The programme was able to recruit and build a regular core of volunteer leaders group which includes 15 women. In Myser, the group of leaders decided to initiate negotiating with the

local council in town to create a jogging path in the locality and take an active part in the local health events.

Gaps between the Jewish and Arab Population

242. Life expectancy - A further increase may be observed in regards to life expectancy both in the Jewish and Arab populations. In 2015, the life expectancy of Jewish men and women stood at 81.1 and 84.5 respectively, while the life expectancy of Arab men and women stood at 76.9 and 81.2 respectively (compared to 78.6 and 74.9 respectively in 2005). The gaps continue to decrease.

243. Diabetes – the rates of diabetes among Jewish and Arab men are similar, however among women a slightly higher rate was found among Arab women compared to Jewish women (9.8 and 7.4 respectively).

244. Cancer – the rate of cancer cases among the Jewish population is higher than that of the Arab population in Israel, except with regard to lung cancer.

Health Services within minority groups and disadvantaged populations

245. **Health care to victims of trafficking**: The shelters for victims of trafficking continue to provide medical care, psycho-social care and rehabilitation services. In addition the MOH also funds an annual budget of approximately 3 Million NIS (810.810 USD) for health-care services that are given to victims of trafficking in hospitals (visits to ICU, external clinics and hospitalization, pregnancy monitoring etc.). For further details on services for victims of trafficking, see Question 13.

Regulation and Policies

- MOH Deputy Director General Circular for supervision over HMOs and additional health-care services 3/13 titled "preventing exclusion of women": This guideline strictly prohibits HMOs to provide services separately for men and women, gradual cancellation of existing segregation within a period that would not exceed two (2) years, prohibits separate reception hours for women and men in the same clinic or any other feature or sign of segregation between men and women.
- Medicine Administration Circular 22/2016 titled "National screening plan for breast cancer detection - update": The national screening programme for breast cancer detection has been conducted in Israel for many years, with the initiative of the Israel Cancer Association and the national centre for cancer control of Clalit HMO, with the support of the MOH. This guideline obliges all HMOs and Breast imaging clinics to report annually to the MOH on the implementation of a biannual Mammogram screening for women aged 50-74, and an annual Mammogram for women aged 40+ with a family history or with a higher risk for breast cancer for other reasons.
- MOH Deputy Director General Circular for supervision over HMOs and additional health-care services 07/2014 titled "treatment of myomas with MRI-guided focused ultrasound": This guideline broadens the National Health Insurance Law, so that invasive and non-invasive alternative treatments may also be considered for the patient, including MRI-guided focused ultrasound (FUS) therapy. Accordingly, significant weight should be given to the recommendation of the treating physician and to the woman's preference to refrain from hysterectomy, considering the availability of a less-radical medical alternative.
- The National Health Insurance Regulations (HMO Registration, Rights and Obligations of Stay Permit Holders by the Citizenship and Entry to Israel Law (Temporary Order) 5763-2003) entered into force on August 1, 2016. According

to the regulations, stay permit holder under conditions listed in the Temporary Order Law, or for special humanitarian reasons are entitled to and must register with an HMO and will receive health services to a similar extent as a resident. Note that permit holders include Palestinians who received a permit for family unification or for special humanitarian reasons. Since the Law has entered into force, approximately 2,716 permit holders joined an HMO health insurance plan.

Infant mortality and maternal mortality

246. See Annex I.

Cancer prevalence and prevention Efforts

247. See Annex I.

Question 22 – Rural Women

248. In general, Israel is highly urbanized, as roughly 92 per cent of all Israelis live in urban communities, and only 8 per cent in rural ones.

249. According to the data collected from the research of the Central Bureau of Statistics, between 2003 and 2014 a slight improvement was evident in the condition of women living in rural villages. The improvement is mainly evident in the rate of working households that increased by approximately 10 per cent and in the increase of the number of wage-earners in the family. As a result of that, there was a decrease in the poverty rate of adult women in these households by approximately 4 per cent, and there was an increase of approximately 60 per cent-70 per cent in the rate of family income and in the rate of income per capita. However, the disposable income per capita remained at a low rate compared to women in non-rural areas.

250. For more information, see Table No.26, Annex II.

Government Resolutions Regarding the Bedouin Community in the Negev

251. On February 12, 2017 the GOI approved Resolution No. 2397 titled "Government plan for the empowerment and socio-economic strengthening of the Bedouin localities in the Negev for the years 2017-2021." This is a comprehensive five (5)-year plan which regards different aspect for development within the Bedouin localities, education, infrastructures, employment, medical services and empowering local municipalities. The Resolution aims to include as much possible the representatives of local population in the implementation procedure of the programme. The Government has allocated 3 Billion NIS (11.1 Million USD) to this plan.

Access to Justice and Equality before the Law

252. See Question 6.

Housing in the Bedouin population

253. There are more than 240,000 Bedouins living in the Negev desert area. About 76 per cent of them live in urban and suburban centres which have been legally planned and constructed (25 per cent live in the city of Rahat, an additional 40 per cent live in six (6) local authorities (Hura, Kuseife, Tel-Sheva, Ar'ara, Lakiya and Segev shalom) and an additional 11 per cent reside in 11 authorized localities within the Al-Kasum and Neve Midbar Regional Councils. The remaining 24 per cent of the Bedouin population reside in hundreds of unauthorized and unregulated clusters, mainly within the Al-Kasum and Neve Midbar Regional Councils which are spread over an area of almost 500,000 dunams. This obstructs

urban expansion in the greater Negev area and is not beneficial to the common good of the Bedouin population.

254. Today there are 18 Bedouin localities with approved outline plans, including the city of Rahat, Lakiya, Hura, Kuseife, Tel-Sheva, Segev Shalom and Ar'ara. All of these plans include infrastructure such as schools, health clinics, running water, electricity, roads, pavements, etc. An additional 11 localities that are under the jurisdiction of the Neve Midbar and A-Kasum Regional Councils also have approved outline plans.

Employment

255. In the past few years, significant steps were taken to promote and integrate the Bedouin population into the labour market pursuant to Government Resolution No. 3708 (see above), in which 338 Million NIS (92 Million USD) has been allocated to the MOEI.

256. In 2014, the Bedouin population employment rate was 65 per cent among men and 26 per cent among women, and the unemployment rate was 13 per cent among men and 6 per cent among women.

257. For information regarding employment programmes and special programmes, for example, Ryan employment centres, women entrepreneurship, professional training, day-care centres industrial parks, integration in to high-tech industries, and more, see Annex I.

Centres for Teenage Bedouin Girls

258. The MOLSASS operates "Safe Space" for teenage Bedouin girls in distress. The object of these spaces is to prevent school drop-out, strengthening self-image, and empowerment.

Access to Health

259. For information on some of the main projects, including health clinics and medical services, data on immunization coverage, nurses serving the Bedouin population, Mother and Child Health-care Stations, school nurse and recent developments, see Annex I.

Question 23 – Disadvantaged Groups of Women

Female prisoners

260. Neve Tirtza is the only women's prison in Israel. Thus, the prisoner population in the complex is varied and includes detainees on remand, detainees on remand until further decision, or until the end of the proceedings, as well as minor and adult prisoners. Furthermore, the facility is equipped to include pregnant women and young mothers with their children (up to two (2) years of age). In November 2016, an official review visit by the PDO took place at Neve Tirtza. The review was significantly positive. For prominent findings see Annex I.

Palestinian women prisoners held in IPS facilities

261. As of December 1, 2016, in Neve Tirtza there were 19 prisoners who are residents of the West Bank and 18 detainees - A total of 37 women. None of these prisoners/detainees is pregnant. Palestinian prisoners in the IPS receive the same full health-care services as Israeli prisoners, including expert physician services, hospitalization and mental health services.

262. The prisoners receive regular family visits, for 45 minutes. Visitors who are Israeli citizens independently arrive to the IPS facility and visitors who are residents of the West Bank or the Gaza Strip visit through busses organized by the ICRC.

Housing for disadvantaged women

263. The Ministry of Construction and Housing has diverse assistance programmes that provide assistance in housing for disadvantaged population groups; no changes occurred in this field since the last report.

264. Currently, the total number of women who are granted a public housing apartment is 25,885 women, out of which 14,300 women who are independent/single mothers and 11,585 single women (without children or with children over the age of 21).

265. In addition, young women at risk, aged 18 to 25, who are considered to have no family support, are also provided assistance by the Ministry in rent fees in the sum of 1,000 NIS (270 USD) per month for 24 months. During 2016, 145 young women have received this type of assistance.

266. The apartment purchase procedure of August 2006, sets forth an assistance track within which the Ministry purchases an apartment for eligible persons with disabilities who are assisted by a wheelchair, selected by the eligible person, where the purchased apartment is rented out to the eligible person at public rental terms. In addition, the apartment may be adapted according to person's disability. Similar assistance is also provided in rental apartments.

267. On February 28, 2017 the Ministerial Committee on Gender Equality held a meeting addressing the topic of labour laws enforcement regarding women from disadvantage populations.

Income support for women in shelters for victims of domestic violence

268. Amendment No. 49 of the Income Support Law 5741-1980 (entry into force: June 1, 2017), provides a change in the prerequisite of receiving income support for women who reside in a shelter for victims of domestic violence. The Amendment annuls the condition that was previously required by the law, and grants income support to every woman who is eligible to it according to the law, even if she was not eligible in the month prior to their joining to the shelter. The amendment improves the conditions of women entering the shelters, whose financial situation significantly changes subsequently.

269. On November 5, 2012, the Knesset enacted the Welfare Service Law (Adaptation Grant for Women who stayed at a Shelter for Battered Women) 5773-2012 (hereinafter: the "Welfare Service Law (Adaptation Grant for Women who stayed at a Shelter for Battered Women)"). According the Law, a woman who stayed at a shelter for victims of domestic violence at least 60 days, will be entitled to an adaptation grant, provided according to a rehabilitation programme within 60 days upon her departure. This is conditional on not returning to her former permanent place of residence. The grant will be in the sum of 8,000 NIS (2,162 USD) for each woman, and for women with children, an additional 1,000 NIS (270 USD) for each child.

270. On December 2, 2013 the Knesset amended the Welfare Service Law (Adaptation Grant for Women who stayed at a Shelter for Battered Women) to ensure that the grant shall be paid no later than 60 days after the application for such a grant is submitted.

271. Programmes for disadvantaged populations by the MOLSASS - see Annex I.

Question 24 - Marriage and Family relations

General

272. Notwithstanding the status quo, recent years indicate a change in the Family Matters Courts tendency to adjudicate tort claims against spouses that refuse to grant or receive a Jewish writ of divorce ("Gett"), and the value of the compensations against the

reluctant spouse are becoming higher. In the past, the Family Matters Courts allowed submission of such damages claim only when the Rabbinical Court ordered to issue a divorce, thereby limiting the relief only to these cases, at a later stage, with the development of the trend to recognize this claim cause, the Family Matters Court rulings acknowledged damages also in cases where the Rabbinical Court did not mandate a divorce. However, note that this trend is often not welcomed by the Rabbinical Court, and a rabbinical ruling determines that a divorce that is granted due to tort claim is disqualified in accordance with the Jewish law (Halacha).

273. For precedential rulings on this subject see Annex III.

Measures to prevent the phenomena of women whose husband is reluctant to give a divorce ("Agunot")

Legislation

274. In March 2012, the Rabbinical Courts Law (Implementation of Divorce Judgments) 5755-1955 was amended, and the Amendment requires the Rabbinical Courts to monitor progress in the enforcement of divorce judgments, whether by setting a deadline for the arrangement of a divorce or by examining the effectiveness of restrictions that were imposed according to the law and considering the need to increase them if necessary. The Amendment also established the duty to report to the Knesset's Constitution, Law and Justice Committee regarding the implementation of judgments. Thus, in addition to the continuous monitoring of progress in judicial proceedings by the Rabbinical Courts system, the imposition of this statutory duty makes the Knesset an active monitor, able to evaluate the effectiveness of judicial intervention to protect the liberty of women.

275. In 2017, this Law was further amended, and the possibility to impose different sanctions on prisoners who are spouses that refuse to give a divorce was added; for example preventing the option to participate in religious class, limitations on visitors, limitations on kosher food of a more stringent standard (Mehadrin), and more (Amendment No. 8).

State Attorney's Guideline – "Prosecution Policy in Cases of Failing to Comply a Judicial Order for Granting a Gett"

276. On 14 November 2016, the State Attorney's Office issued State Attorney's Guideline No. 2.24 which regulates the prosecution and punishment policy in respect of failure to comply with a judicial order of the Rabbinical Court regarding granting or receiving a divorce. This is a meaningful step in the efforts to reduce the number of women who are "Agunot" (women whose husbands refuse to grant them a divorce).

277. For more information see Annex I.

The Rabbinical Court Administration

278. The Rabbinical Courts conduct trainings to the rabbinical judges on the issue of Compelling Gett Order and the available sanctions that can be applied by them according to the Rabbinical Court Law (Execution of a Divorce Verdict) 5755-1955, concerning spouses that refuses to give divorce, which can even be imprisonment.

279. In 2015, the movie "Gett", which protest the difficulties of women whose husband is refusing to grant a divorce, through a dramatic plot, was screened in the national convention of the rabbinical judges.

280. Furthermore, the Rabbinical Court Administration has a designated department that is tasked with handling the complex issue of refusal for granting divorce. The staff in this Department includes qualified personnel that have been specially trained in this area. The Department employs a variety of tools to reach the reluctant husband and persuade or force him to comply with the divorce judgment. Thus, for example, the Department uses various

technological means to locate the husband, to gain information about his businesses, etc. The Department maintains regular contact with other government agencies, inter alia, for the purpose of obtaining court orders against husbands reluctant to give their wives a 'Gett', such as stay-of-exit orders.

Retroactive invalidation of divorce on Jewish women

281. In general, the Rabbinical Courts Administration is not aware of cases of retroactive annulment of divorce. Moreover, as is well known, the Rabbinical Courts rule in matters of personal status according to the Jewish Law (Halacha); In terms of Jewish Law, the retroactive annulment of a divorce is a radical procedure that is rarely implemented and only in extremely exceptional cases. According to the Jewish Law, the meaning of retroactive annulment of divorce is the invalidation of the woman's marriage to a man who is not her former husband and the continued validity of her previous marriage. As an outcome, the lineage of the offspring of the second marriage would be forever tainted. It is thus obvious that the Rabbinical Courts, which operate in accordance with Jewish Law, almost invariably avoid using this measure. Currently, there is only one (1) case in which the validity of a divorce is being considered, due to the exceptional and groundbreaking nature of the ruling by the Regional Rabbinical Court that approved the divorce. Even in this case, there has thus far been no retroactive annulment of the divorce but only preliminary proceedings before the High Court of Justice. Consequently, in this single case as well, the divorce remains in effect.

282. In a recent case law **(H.C.J 9261/16)**, the Supreme Court approved a regional rabbinical court (in Safed) ruling which approved a divorce for a woman whose husband is in a vegetative state, and reversed a Great Rabbinical Court ruling who allowed a third party to appeal this decision. Here, the Supreme Court emphasized that an effort to try and make the woman Aguna again (after the Rabbinical Court granted her with a divorce) violates her basic right for human dignity, as enshrined in the Basic Law: Human Dignity and Liberty, and takes her liberty. Such a violation, the Court concluded, is unconstitutional.

283. For further details, see Anonymous and "Dead End" (Mavoy Satum NGO) v. The Great Rabbinical Court et. al., Annex III.

Civil marriage abroad

284. No material changes were made since 2011. Note that in 2012, the precedential ruling was rendered by the Family Matters Court, that annulled the marriage of two Jews, a for same-sex couple, as the Rabbinical Court refrained from its annulment due to its refusal to acknowledge it. See 11264-09-12 Anonymous et. al. v. The Ministry of Interior (21.11.2012), Annex III.

Parental custody in divorce

285. In recent years, the recommendations of two (2) public committees were submitted to the Ministers of Justice - one regarding parental responsibility in divorce and the other regarding child support. Though the recommendations have not yet evolve to a law, in recent years there is a growing number of judicial decisions that determine joint custody for both parents, or parental arrangements with equal or shared custody at both parents.

Recent legislation to expedite the settlement of family disputes

The Family Dispute Settlement Law

286. In 2014, the Family Dispute Settlement (Temporary Order) 5775-2014 was enacted. This law determines that spouses who wish to separate are referred at the first step to a dispute resolution in one of the Family Assistance Units (FAU) of the relevant Court. The parties will not be able to turn to judicial instances before they have done so. After submitting the application, the FAU will hold up to four (4) initial meetings with the parties which will allow

them to examine the possibility to turn to an alternative dispute resolution, other than litigation in court. The Law aims to reduce the complex implications of divorce litigation in court, to all family members. It also helps prevent discrimination against women in a judicial proceeding, in cases when women are in a weaker position (economically, personally) than men and need to cope with the intense conflict and feelings accompanying the separation process. This law required preparation and training of professionals and entered into effect in July 2016. The Law was enacted as a temporary order valid for three (3) years in order to inspect its advantages to resolve family disputes over their judicial resolution.

Division of Pension Savings between Separated Spouses

287. In August 2014, the Pension Savings Distribution between Separate Couples Law 5774-2014 was legislated. The Law determines arrangements regarding the distribution of pension savings between the saver and her or his former partner and inter alia enables the distribution of the pension savings among the ex-partners through a paying body (such as pension funds, employers that use seniority pension etc.) instead of direct distribution between the parties. Though this law does not deal with separated couple's children directly, the law intends to prevent further encounter between the ex-partners after the divorce, thus reduces some of the difficulties and relieve to some extent their children during the process of divorce disputes.

288. For information regarding polygamy, see Question 9.

Question 25 – Additional Information

289. There is no additional information.